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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title [12/7—DEPARTMENT OF [REVENUE]
TRANSPORTATION
Division [20—Highway Reciprocity] 10—Missouri
Highways and Transportation Commission
Chapter [3—Apportion Registration] 25—Motor
Carrier Operations**

EMERGENCY AMENDMENT

[12 CSR 20-3.010] 7 CSR 10-25.030 Apportion Registration.
The Missouri Highways and Transportation Commission is amending sections (1), (7), (8), (12), (20), (21), (24), (25), (27), (29), and (34) of this rule and moving the rule to 7 CSR.

PURPOSE: *This emergency amendment broadens the forms of proof of identifying registration, or cab cards, that may be used by operators of apportioned vehicles as evidence such vehicles are currently and validly registered with the Missouri Highways and Transportation Commission, clarifies procedure for returning registration credentials, and corrects references to the commission to replace non-existent state agencies.*

EMERGENCY STATEMENT: *Pursuant to section 536.025, RSMo, this emergency amendment is necessary to preserve a compelling governmental interest requiring an early effective date of the rule.*

History: *The International Registration Plan (IRP) is a registration reciprocity agreement among states of the United States and*

provinces of Canada providing for payment of registration fees, which are then apportioned among participating IRP member jurisdictions on the basis of fleet miles operated in such jurisdictions. Missouri is a participating member of IRP.

According to IRP Section 204, an apportioned vehicle means any vehicle except for: 1) recreational vehicles; 2) vehicles displaying restricted plates; 3) city pick up and delivery vehicles; 4) buses used in transportation of chartered parties; and 5) government-owned vehicles, used or intended for use in two (2) or more member jurisdictions that allocate or proportionally register vehicles, and is used for the transportation of persons for hire or designed, used or maintained primarily for the transportation of property, and:

1) Is a power unit having two (2) axles and a gross vehicle weight or registered gross vehicle weight in excess of twenty-six thousand (26,000) pounds or 11,793.401 kilograms; or

2) Is a power unit having three (3) or more axles, regardless of weight; or

3) Is used in combination, when the weight of such combination exceeds twenty-six thousand (26,000) pounds or 11,793.401 kilograms gross vehicle weight.

Trucks and truck tractors, and combinations of vehicles having a gross vehicle weight of twenty-six thousand (26,000) pounds or 11,793.401 kilograms or less and buses used in transportation of chartered parties may be proportionally registered at the option of the registrant.

Also, current Section 500 of the IRP requires that the base jurisdiction, upon receiving payment of the apportioned vehicles registration fees, shall issue a license plate and a document evidencing registration, referred to as a cab card. The cab card is to be carried in the apportioned vehicle at all times.

Recent Developments: The Missouri Department of Transportation (MoDOT) on September 26, 2005, implemented an integrated web-based computer system, which allows a motor carrier who has designated Missouri as their base jurisdiction under IRP to apply on the Internet for their apportioned registration. The motor carrier may then receive their original cab card by electronic mail or facsimile transmission. However, on May 12, 2006, a representative from the Missouri Motor Carriers Association (MMCA) met with MoDOT staff to discuss a problem in out-of-state acceptance of the electronic cab card. The state of Arizona failed to recognize MoDOT's electronic issued cab cards under the new web-based computer system as official cab cards under the IRP. Arizona's failure to recognize Missouri's electronic cab cards led to Arizona law enforcement writing traffic citations, requiring Missouri motor carriers to purchase specific trip permits from Arizona as evidence or authority to conduct interstate commerce in the state of Arizona, and, in the interim, prevented Missouri motor carriers from being able to continue their deliveries until such specific trip permits were issued.

Arizona's failure to recognize Missouri's electronically issued cab cards contributed to the IRP's Dispute Resolution Committee, at the September 30, 2006 annual IRP meeting, approving a motion that all jurisdictions participating in IRP must accept cab cards for properly registered motor carriers that have been properly issued in accordance with the registration requirements of the base jurisdiction.

Compelling Governmental Interest for this Emergency Amendment: Because of the recent decision by the IRP's Dispute Resolution Committee allowing an expanded list of approved forms of proof of properly apportioned original registration to be recognized by participating IRP jurisdictions, an emergency amendment is necessary to conform Missouri's current administrative rule to such decision. Missouri's current administrative rule, 12 CSR 20-3.010, fails to include the broadened interpretation of cab card adopted by the IRP's Dispute Resolution Committee in September 2006. It only authorizes an undefined originally issued cab card as the sole evidence of properly apportioned registration under IRP and contains references to state agencies that were abolished by Truly Agreed to

and Finally Passed Senate Bill 1202 in the 2002 legislative session. The IRP Dispute Resolution Committee's recent decision adopted a broadened definition of cab card and requires IRP participating members to recognize cab cards issued in accordance with the registration requirements of the base jurisdiction. Missouri's administrative rule needs to be amended to specifically authorize electronically issued cab cards, photocopies, or facsimile transmissions as evidence of properly apportioned original registration so that other participating IRP jurisdictions will recognize and accept these additional forms of registration for Missouri motor carriers operating in their jurisdiction.

Unless and until the current administrative rule is amended, Arizona and other participating IRP jurisdictions will not allow Missouri motor carriers to conduct their travels in those jurisdictions unless the original cab card issued by MoDOT is in the motor carrier's vehicle. Expedited clarification is needed with the issuance of electronic cab cards for the first quarter registration renewals in 2007. The expanded forms of evidence of apportioned registration (i.e., electronically issued, fax, photocopies) will allow Missouri motor carriers to: 1) replace lost or illegible cab cards quickly for their drivers in order to prove to other IRP participating member's law enforcement officials that the Missouri motor carrier vehicle is properly registered, thereby avoiding traffic citations; 2) eliminate the need for a Missouri motor carrier to purchase trip permits in other jurisdictions, thereby saving such motor carrier this additional operating expense; and 3) ensure that Missouri motor carriers have uninterrupted travel in other jurisdictions as the motor carrier can simply fax a copy of the cab card to their driver, rather than wait for MoDOT's Motor Carrier Services Division to issue an original cab card and then send the cab card to the driver, which reduces trip delays and the significant, negative financial and administrative impacts to Missouri motor carriers. And, under the proposed emergency amendment, the motor carrier can send a fax or photocopy of the original, electronic cab card issued by MoDOT, which will eliminate the need for MoDOT to issue an original cab card, which will save MoDOT staff time and resources.

Proposed Permanent Amended Rule Filed: Also, the Missouri Highways and Transportation Commission (MHTC) is filing an identical, proposed permanent amended administrative rule regarding this same subject, with the Secretary of State's Office and the Joint Committee on Administrative Rules, which will appear in the March 15, 2007 Missouri Register but is not intended to become effective until August 30, 2007. Because of the lengthy delay in the effective date of the proposed permanent amended administrative rule, an emergency amendment is necessary.

Limited Scope: Finally, the scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. It is limited to correcting the references to the proper state agency responsible for issuing apportioned registration, MHTC; to clarifying IRP's Dispute Resolution Committee's interpretation authorizing recognition by IRP member states of electronically issued, facsimile and photocopies of proper apportioned registration of Missouri motor carriers; and clarifying the procedure for returning registration credentials when vehicles are removed or withdrawn from an operator's fleet. No other changes are proposed.

Fairness to All Interested Parties and Support from Industry: MHTC believes this emergency amendment is fair to all interested persons and parties under the circumstances. On November 21, 2006, Ron Breau, Vice President for the Missouri Motor Carriers Association (which represents almost eight hundred (800) motor carriers and associated businesses), sent a letter to Jan Skouby detailing their recommendation that their members obtain the ability to transmit a copy of the apportioned registration cab card to their drivers when such credentials are lost or illegible to minimize operation delays and continue delivering goods in commerce.

Effective Date and Duration: MHTC filed this emergency amendment on February 8, 2007, effective on March 3, 2007, expires August 29, 2007.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Whenever the **Missouri Highways [Reciprocity] and Transportation Commission (commission)** has entered into an agreement providing for the payment of taxes and fees on an apportionment basis with another jurisdiction, the operator of a fleet of vehicles based in any one (1) of the contracting jurisdictions must register his/her fleet under the agreement. The International Registration Plan (IRP) and [State of Missouri Highway Reciprocity Commission] **Missouri Department of Transportation Motor Carrier Services Instruction Manual, 2005 Edition, which is incorporated herein by reference and made a part of this rule as published by the Missouri Highways and Transportation Commission, Motor Carrier Services Division, 1320 Creek Trail Drive, Jefferson City, MO 65102**, provide specific details and procedures and will be furnished upon request from the Missouri [Highway Reciprocity Commission] **Department of Transportation, Motor Carrier Services Division. This rule does not incorporate any subsequent amendments or additions of this manual.**

(7) The operator must keep accurate and complete mileage records for the period of twelve (12) consecutive months immediately prior to July 1 of the year immediately preceding the commencement of the registration or license year for which proportional registration is sought. Applicants may estimate mileage for a fleet anticipating operation in Missouri for the first registration period, expanded operations and if mileage was not accrued in an IRP jurisdiction during the reporting period. Estimated mileage by the applicant will not be acceptable if the operator has registered with the [Highway Reciprocity C]commission under a different or assumed name for the same or a similar operation.

(8) In-jurisdiction miles means the total number of miles operated by a fleet of proportionally registered vehicles in a jurisdiction during the preceding year. In those cases where the registrant operated a fleet of proportionally registered vehicles in jurisdictions that require no apportionment and grant reciprocity, the base jurisdiction shall add the miles to the in-jurisdiction miles. The [Highway Reciprocity C]commission reserves the privilege to adjust the mileage percentage by the addition or deletion of nonapportional states' miles.

(12) Missouri law forbids the granting of an exemption by the [Highway Reciprocity C]commission from any or all registration fees to any motor vehicle owners or operators duly licensed in another jurisdiction where substantially equivalent exemptions are not extended by that jurisdiction to vehicles which are duly licensed in this jurisdiction.

(20) Properly prepared proportional applications will be accepted, subject to an audit. The [secretary] **commission** may refuse to accept applications which list unrealistic mileage or number of vehicles. All plates and cab cards and reciprocal exemptions are subject to cancellation and revocation in the event of erroneous issuance or if any fees remain unpaid.

(21) *[All identifying credentials must be the original issued and carried upon the vehicle to which it has been assigned at all times and displayed to any appropriate official upon request]. Cab Card. Evidence of registration other than the license plate which shall be carried at all times in the vehicle for which it is issued and shall be valid for the current registration period. Acceptable forms of a cab card include, but are not limited to, the originally issued registration, including such registration issued by electronic means, and any facsimile transmission or photocopy of such original cab card. All acceptable forms of a cab card shall be legible upon visual inspection.*

(24) If an operator elects to *[delete] remove or withdraw* a vehicle from its fleet, *[the credentials must be removed by]* the operator shall either: 1) *[and] return[ed to the Highway Reciprocity]* the cab card issued to the operator by the *[C/]commission* with a supplemental application for the transfer of proportional credentials *[or credit which may be used on a later supplemental application within the current registration year]* or 2) **certify that the cab card has been lost, stolen or destroyed. Applications for transfer of apportioned credentials that request a replacement plate must be accompanied by a replacement fee for each plate replaced.** Vehicles registered in excess of fifty-four thousand pounds (54,000 lbs.) shall receive a refund or credit of the Missouri registration fees based on the calendar quarters remaining before expiration of the license plate if in accordance with section 301.120, RSMo.

(25) Telegraphic authority or temporary authorization will be issued for forty-five (45) days for Missouri-base licensed vehicles and thirty (30) days for vehicles based in a member jurisdiction in lieu of proportional registration and licenses so that a vehicle may immediately operate upon the highways of Missouri unless the *[secretary/ commission]* has cause to believe that the applicant will not forward immediately the fees and old credentials due the state of Missouri. A Missouri-base licensed vehicle may have one (1) fifteen (15)-day telegraphic extension. Copies of the telegram or temporary authorization must be carried in the vehicles at all times when no cab cards are available and displayed upon request of any official. If the *[secretary/ commission]* determines that telegraphic authority is being abused or temporary authorities are unaccountable, the *[secretary/ commission]* can revoke or suspend the privileges for either six (6) months or one (1) year and until all the required fees are paid. Revocation of privileges will be reviewed not later than one (1) year after implementation of the suspension.

(27) The nonfleet operator in a prorate state may be required to apply for a reciprocity cab card from the *[Highway Reciprocity C/]commission*.

(29) The *[Highway Reciprocity C/]commission* reserves the power to fix and collect a reasonable fee to cover the costs of handling and issuing all credentials or other evidence of proper registration necessary for operating a motor vehicle in this state. In every event, the charge made against owners-operators from other jurisdictions will be at least equal to charges directed against Missouri-based owners-operators by other jurisdictions.

(34) Does Not Cover *[Division of Transportation]* **Missouri Highways and Transportation Commission** Fees. Nothing in these rules shall be interpreted to govern any provisions or agreements as to reciprocity concerning the *[Division of Transportation]* **commission's** fees and charges. All questions concerning the fees and charges of the *[Division of Transportation]* **commission** are to be determined exclusively by the reciprocal agreements entered into by the *[Division of Transportation, Department of Economic Development]* **commission**.

AUTHORITY: sections [142.621] 142.617 and 301.275, RSMo [1986] 2000 [and 142.167, RSMo Supp. 1990] and 226.008, RSMo Supp. 2006. Original rule filed July 22, 1965, effective Aug. 1, 1965. Amended: Filed Oct. 28, 1974, effective Nov. 7, 1974. Amended: Filed Oct. 15, 1986, effective Jan. 30, 1987. Amended: Filed Nov. 1, 1991, effective March 9, 1992. Emergency amendment filed Feb. 8, 2007, effective March 3, 2007, expires Aug. 29, 2007. A proposed amendment covering this same material is published in this issue of the Missouri Register.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2006.

EXECUTIVE ORDER

07-08

WHEREAS, severe storm systems causing extensive damage associated with snow, freezing rain, sleet and ice impacted communities across the State of Missouri on January 12, 2007 and continuing which resulted in a significant interruption of public services; and

WHEREAS, Executive Order 07-02 was issued on January 12, 2007, declaring a State of Emergency within the State of Missouri; and

WHEREAS, Executive Order 07-04 was issued on January 12, 2007, authorizing the Director of the Missouri Department of Natural Resources to waive or suspend temporarily the operation of statutory or administrative rules or regulations in order to expedite the cleanup and recovery process; and

WHEREAS, in response to Executive Order 07-04, the Director of the Missouri Department of Natural Resources issued a waiver on January 15, 2007, suspending specific air pollution and solid waste regulations to address wastes generated by the severe storm systems; and

WHEREAS, several communities in the State of Missouri continue to clear debris caused by the severe storm systems; and

WHEREAS, Executive Orders 07-02 and 07-04 expire on February 15, 2007, unless extended in whole or in part.

NOW THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby extend the declaration of emergency contained in Executive Order 07-02 and the terms of Executive Order 07-04 through May 15, 2007, for the purpose of continuing the cleanup efforts in the affected Missouri communities.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 6th day of February, 2007.

A handwritten signature in black ink, reading "Matt Blunt".

Matt Blunt
Governor

ATTEST:

A handwritten signature in black ink, reading "Robin Carnahan".

Robin Carnahan
Secretary of State

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.010 Definitions. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule defines terms used in the regulations of the State Milk Board. This rule corresponds with Part II, Section 1 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The following definitions shall apply to the interpretations and enforcement of sections 196.931–196.959, RSMo:

(A) Milk is the product defined in *[the] 21 CFR section 131.110*. Note: Applicable sections of parts 131–133 are included in Appendix L of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)*.

1. Goat milk is the lacteal secretion, practically free from colostrum, obtained by the complete milking of healthy goats. The word milk shall be interpreted to include goat milk.

2. Breed milk is milk from a herd of cows where at least ten percent (10%) of the herd is registered purebred and the remainder at least high grade individuals of the same breed. The word milk shall be interpreted to include breed milk;

(B) Cream is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.3(a).

1. Light cream is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.155.

2. Light whipping cream is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.157.

3. Heavy cream or heavy whipping cream is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.150.

4. Whipped cream is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.150 or 131.157, into which air or gas has been incorporated.

5. Whipped light cream is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.155, into which air or gas has been incorporated.

6. Sour cream or cultured sour cream is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.160.

7. Acidified sour cream is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.162;

(C) Half-and-half is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.180.

1. Sour half-and-half or cultured sour half-and-half is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.185.

2. Acidified sour half-and-half is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.187;

(F) Skim milk is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.145;

(G) Lowfat milk is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.135;

(H) Eggnog is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.170;

(I) Buttermilk is a fluid product resulting from the manufacture of butter from milk or cream. It contains not less than eight and one-quarter percent (8 1/4%) of milk solids-not-fat.

1. Cultured buttermilk is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.146.

2. Acidified buttermilk is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.144;

(J) Cultured milk is the product defined in the *[21 CFR] Code of Federal Regulations Title 21* section 131.112.

1. Cultured lowfat milk is the product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 131.138;

(K) Acidified milk is the product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 131.111.

1. Acidified lowfat milk is the product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 131.136;

(L) Yogurt is the product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 131.200.

1. Lowfat yogurt is the product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 131.203.

2. Nonfat yogurt is the product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 131.206;

(O) Cottage cheese is that product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 133.128. The grading of this product is optional.

1. Dry curd cottage cheese is that product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 133.129. The grading of this product is optional.

2. Lowfat cottage cheese is that product defined in the [21 CFR] *Code of Federal Regulations Title 21* section 133.131. The grading of this product is optional;

(P) Grade A dry milk and whey products are products which have been produced for use in Grade A pasteurized milk products and which have been manufactured under the provisions of the [Grade A Condensed and Dry Milk Products and Condensed and Dry Whey—1989 Recommended Sanitarian Ordinance for Condensed and Dry Milk Products and Condensed and Dry Whey Used in Grade A Pasteurized Milk Products;] 2005 edition of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures* is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the *Pasteurized Milk Ordinance (PMO)*.

(T) The terms pasteurization, pasteurized and similar terms shall mean the process of heating every particle of milk or milk product in properly designed and operated equipment, to one (1) of the temperatures given in the following table and held continuously at or above that temperature for at least the corresponding specified time:

Temperature	Time
*145°F (63°C)	30 minutes
*161°F (72°C)	15 seconds
191°F (89°C)	1 second
194°F (90°C)	0.5 second
201°F (94°C)	0.1 second
[204°F (96°C)]	[0.05 second]
205°F (96°C)	0.05 second
212°F (100°C)	0.01 second

*If the fat content of the milk product is ten percent (10%) or more or if it contains added sweeteners, the specified temperature shall be increased by five degrees Fahrenheit (5°F) (3°C). Provided, that eggnog shall be heated to at least the following temperature and time specifications:

Temperature	Time
155°F (69°C)	30 minutes
175°F (80°C)	25 seconds
180°F (83°C)	15 seconds

Provided further, that nothing in this definition shall be construed as barring any other pasteurization process which has been recognized by the Food and Drug Administration to be equally efficient and which is approved by the regulatory agency;

(JJ) The State Milk Board is the board appointed by the governor as outlined in section 196.941, RSMo [(1986)] 2000. Sanitary control of fluid milk in Missouri is the responsibility of this board;

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE

Division 80—State Milk Board

Chapter 2—Grade A Pasteurized Milk Regulations

PROPOSED AMENDMENT

2 CSR 80-2.020 Sale of Adulterated, Misbranded Milk or Milk Products. The board is amending the purpose statement and section (2).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides for the control of adulterated, misbranded Grade A milk or milk products, or any combination of these. This rule corresponds with Part II, Section 2 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO).

(2) Any adulterated or misbranded milk or milk product may be impounded under proper authority by the regulatory agency and disposed of in accordance with applicable laws or regulations. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures** is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the *Pasteurized Milk Ordinance (PMO)*.

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.030 Permits. The board is amending the purpose statement and section (5).

PURPOSE: *This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.*

PURPOSE: *This rule provides for the issuance of permits to persons involved in the production, transporting, and processing of Grade A milk and milk products. This rule corresponds with Part II, Section 3 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO).*

PUBLISHER'S NOTE: *The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(5) Upon repeated violation(s), the regulatory agency may revoke the permit following reasonable notice to the permit holder and an opportunity for a hearing. This rule is not intended to preclude the institution of court action as provided in 2 CSR 80-2.050 (Section 5 of the PMO) and 2 CSR 80-2.060 (Section 6 of the PMO). **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures** is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).

AUTHORITY: *section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson*

City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.040 Labeling. The board is amending the purpose statement and section (1).

PURPOSE: *This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.*

PURPOSE: *This rule provides regulations for the proper labeling of Grade A milk or milk products. This rule corresponds with Part II, Section 4 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration.*

(1) All bottles, containers and packages enclosing milk or milk products defined in 2 CSR 80-2.010 (Section 1 of the PMO) of these rules shall be labeled in substantial compliance with the applicable requirements of the Federal Food, Drug and Cosmetic Act, the Fair Packaging and Labeling Act and regulations developed thereunder and in addition shall comply with the applicable requirements of this rule as follows. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures** is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).

AUTHORITY: *section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.050 Inspection Frequency and Procedure. The board is amending the purpose statement and section (4).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule is for the purpose of providing requirements concerning inspection frequency and procedures. This rule corresponds with Part II, Section 5 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO).

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(4) It shall be unlawful for any person who, in an official capacity, obtains any information, which is entitled to protection as a trade secret (including information as to quantity, quality, source or disposition of milk or milk products, or results of inspections or tests of milk or milk products), under the provisions of these rules, to use this information to his/her own advantage or to reveal it to any unauthorized person. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).**

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.060 The Examination of Milk and Milk Products. The board is amending the purpose statement and section (6).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule specifies sampling frequency and required chemical and bacteriological tests to be conducted both on raw and pasteurized Grade A dairy product. This rule corresponds with Part II, Section 6 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO).

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(6) Samples shall be analyzed at an official or appropriate officially designated laboratory. All sampling procedures and required laboratory examinations shall be in substantial compliance with the current edition of *Standard Methods for the Examination of Dairy Products of the American Public Health Association*, and the current edition of *Official Methods of Analysis of the Association of Official Analytical Chemists*. These procedures, including the certification of sample collectors and examinations shall be evaluated in accordance with **2005 Evaluation of Milk Laboratories, [1989] Recommendations of the U.S. Public Health Service/Food and Drug Administration**. Examinations and tests to detect adulterants, including pesticides, shall be conducted as the regulatory agency requires. Assays of milk and milk products to which vitamin(s) A, D or both have been added, shall be made at least annually in a laboratory acceptable to the regulatory agency. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).**

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations

PROPOSED AMENDMENT

2 CSR 80-2.070 Standards for Milk and Milk Products. The board is amending the purpose statement and sections (1) and (2).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides standards which Grade A raw or pasteurized milk or milk products must meet with regard to cooling temperatures, bacterial limits, somatic cell counts, antibiotics, coliform limits, phosphatase determinations and sanitation requirements for dairy farms, milk haulers, transfer stations, receiving stations and milk plants. This rule corresponds with Part II, Section 7 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) All Grade A raw milk for pasteurization and all Grade A pasteurized milk and milk products shall be produced, processed and pasteurized to conform with the following chemical, bacteriological and temperature standards and the sanitation requirements of this rule. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).**

(2) No process or manipulation other than pasteurization, processing methods integral to pasteurization and appropriate refrigeration shall be applied to milk and milk products for the purpose of removing or deactivating microorganisms. Provided that in the bulk shipment of raw cream, skim milk or lowfat milk, the heating of the raw milk to temperatures no greater than one hundred twenty-five degrees Fahrenheit (125°F) (52°C) for separation purposes is permitted when the resulting bulk shipments of cream, skim milk and lowfat milk are labeled heat-treated.

Table 1—Chemical, Bacteriological and Temperature Standards

Grade A raw milk for pasteurization	Temperature	<i>[Cooler]</i> Cooled to 45°F (7°C) or less within two (2) hours after milking, provided that the blend temperature after the first and subsequent milkings does not exceed 50°F (10°C).
	Bacterial limits	Individual producer milk not to exceed 100,000 per milliliter (ml) prior to commingling with other producer milk. Not to exceed 300,000 per ml as commingled milk prior to pasteurization.
	Antibiotics	<i>[No zone greater than or equal to 16 Millimeter (mm) with Bacillus stearothermophilus disc assay method or other standard(s)]</i> Tests and methodology as required by the current <i>Grade A Pasteurized Milk Ordinance</i> . Commingled milk: <i>[No detectable zone by the Sarcina lutea cylinder plate method or equivalent.]</i> Tests and methodology as required by the 2005 Grade A Pasteurized Milk Ordinance .
	Somatic cell count	Individual producer milk: Not to exceed <i>[1,000,000]</i> 750,000 per ml
Grade A pasteurized milk and milk products	Temperature	Cooled to 45°F (7°C) or less and maintained thereat.
	Bacterial limits*	20,000 per ml
	Coliform	Not to exceed 10 per ml: Provided that, in case of bulk milk transport tank shipments, shall not exceed 100 per ml
	Phosphatase	Less than one (1) microgram per ml by the Scharrer Rapid Method or <i>[equivalent]</i> Methods approved in the 2005 edition of the Pasteurized Milk Ordinance .
	Antibiotics	<i>[No zone greater than or equal to 16 mm with Bacillus stearothermophilus disc assay method or other standard(s)]</i> Tests and methodology required by the current <i>Grade A Pasteurized Milk Ordinance</i> .

*Not applicable to cultured products.

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE

Division 80—State Milk Board

Chapter 2—Grade A Pasteurized Milk Regulations

PROPOSED AMENDMENT

2 CSR 80-2.080 Animal Health. The board is amending the purpose statement and section (3).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides requirements regarding animal health for Grade A dairy farms. This rule corresponds with Part II, Section 8 of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)*.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(3) For diseases other than brucellosis and tuberculosis, the regulatory agency shall require physical, chemical or bacteriological tests as it deems necessary. The diagnosis of other diseases in dairy cattle shall be based upon the findings of a licensed veterinarian or a veterinarian in the employ of an official agency. Any diseased animal disclosed by these test(s) shall be disposed of as the regulatory agency directs. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures** is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the *Pasteurized Milk Ordinance (PMO)*.

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE

Division 80—State Milk Board

Chapter 2—Grade A Pasteurized Milk Regulations

PROPOSED AMENDMENT

2 CSR 80-2.091 Milk and Milk Products Which May Be Sold. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule specifies milk and milk products which may be sold. This rule corresponds with Part II, Section 9 of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)*.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) From and after the date on which this rule is adopted, except as provided by law (section 196.935, RSMo), only Grade A pasteurized milk and milk products shall be sold to the final consumer, or to restaurants, soda fountains, grocery stores or similar establishments. Provided that in an emergency, the sale of pasteurized milk and milk products which have not been graded or the grade of which is unknown, may be authorized by the regulatory agency; in which case, the milk and milk products shall be labeled ungraded. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures** is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the *Pasteurized Milk Ordinance (PMO)*.

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.101 Transferring; Delivery Containers; Cooling. The board is amending the purpose statement and section (3).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides standards relating to transferring; delivery containers; and cooling of milk, milk products or both. This rule corresponds with Part II, Section 10 of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)*.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(3) It shall be unlawful to sell or serve any pasteurized milk or milk products which have not been maintained at the temperature set forth in 2 CSR 80-2.070. If containers of pasteurized milk or milk products are stored in ice, the storage container shall be properly drained. The 2005 edition of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures* is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.110 Milk and Milk Products from Points Beyond the Limits of Routine Inspection. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides for requirements for milk and milk products from points beyond the limits of routine inspections. This rule corresponds with Part II, Section 11 of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)*.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Milk and milk products from points beyond the limits of routine inspection of the State Milk Board of Missouri or its jurisdiction may be sold in [the] Missouri or its jurisdiction provided they are produced, pasteurized, or both, under rules which are substantially equivalent to the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the U. S. Public Health Service/Food and Drug Administration* and have been awarded an acceptable milk sanitation compliance and enforcement rating made by a state milk sanitation rating officer certified by the Food and Drug Administration. The 2005 edition of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures* is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.121 Future Dairy Farms and Milk Plants. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides requirements for construction or reconstruction of future dairy farms and milk plants. This rule corresponds with Part II, Section 12 of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)*.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Properly prepared plans shall be submitted to the regulatory agency for written approval before work is begun on all milkhouses, milking barns, stables and parlors, transfer stations, receiving stations and milk plants regulated under these rules which are constructed, reconstructed or extensively altered after July 1, 1980. The 2005 edition of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures* is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the *Pasteurized Milk Ordinance (PMO)*.

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.130 Personnel Health. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule establishes requirements relating to personnel health. This rule corresponds with Part II, Section 13 of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)*.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) No person affected with any disease in a communicable form, or while a carrier of that disease, shall work at any dairy farm or milk plant in any capacity which brings him/her into contact with the production, handling, storage or transportation of milk, milk products, containers, equipment and utensils; and no dairy farm or milk plant operator shall employ in any capacity any person or any person suspected of having any disease in a communicable form or of being a carrier of disease. Any producer or distributor of milk or milk products, upon whose dairy farm or in whose milk plant any communicable disease occurs, or who suspects that any employee has contracted any disease in a communicable form, or has become a carrier of the disease, shall notify the regulatory agency immediately. The 2005 edition of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures* is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the *Pasteurized Milk Ordinance (PMO)*.

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed April 20, 1973, effective April 30, 1973. Rescinded and readopted: Filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.141 Procedure When Infection is Suspected. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides the procedure to follow when infection is suspected. This rule corresponds with Part II, Section 14 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO).

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) When reasonable cause exists to suspect the possibility of transmission of infection from any person concerned with the handling of milk, milk products, or both, the regulatory agency is authorized to require any of the following measures:

(C) Adequate medical and bacteriological examination of the person, his/her associates and of his/her and their body discharges. The 2005 edition of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures* is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the *Pasteurized Milk Ordinance (PMO)*.

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.151 Enforcement. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides for regulatory enforcement methods. This rule corresponds with Part II, Section 15 of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO).

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) These rules shall be enforced by the regulatory agency in accordance with the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] Recommendations of the United States Public Health Service/Food and Drug Administration*, a [certified] copy of which shall be on file at the [secretary of state's office] **State Milk Board office**. Where the mandatory compliance with provisions of the appendices is specified, provisions shall be deemed a requirement of these rules. The 2005 edition of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures* is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the *Pasteurized Milk Ordinance (PMO)*.

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations**

PROPOSED AMENDMENT

2 CSR 80-2.161 Penalty. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides for the penalty for violation of any of the provisions of these rules. This rule corresponds with Part II, Section 16 of the **Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)**.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Any person(s) who shall violate any of the provisions of these rules shall be guilty of a misdemeanor and, upon conviction shall be punished by a fine of not more than that established by the statutes of Missouri, or the person(s) may be enjoined from continuing the violations, or both. Each day upon which the violations occur shall constitute a separate violation. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).**

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE

Division 80—State Milk Board

Chapter 2—Grade A Pasteurized Milk Regulations

PROPOSED AMENDMENT

2 CSR 80-2.170 Separability Clause. The board is amending the purpose statement and section (1).

PURPOSE: This amendment updates definitions to comply with the Food and Drug Administration Oversight Triennial Review of the states rules and compliance methods.

PURPOSE: This rule provides a separability clause. This rule corresponds with Part II, Section 17 of the **Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] 2005 Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)**.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Should any section, paragraph, sentence, clause or phrase of these rules be declared unconstitutional or invalid for any reason, the remainder of these rules shall not be affected. **The 2005 edition of the Grade A Pasteurized Milk Ordinance with Administrative Procedures is hereby incorporated by reference as published by the Department of Health and Human Services, Public Health Service, Food and Drug Administration, Milk Safety Branch (HFS-626), 5100 Paint Branch Parkway, College Park, MD 20740-3835. This rule does not incorporate any subsequent amendments or additions to the Pasteurized Milk Ordinance (PMO).**

AUTHORITY: section 196.939, RSMo [Supp. 1993] 2000. Original rule filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Amended: Filed Feb. 15, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Terry S. Long, Executive Secretary, State Milk Board, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 7—DEPARTMENT OF TRANSPORTATION

Division 10—Missouri Highways and Transportation Commission

Chapter 6—Outdoor Advertising

PROPOSED AMENDMENT

7 CSR 10-6.070 Permits for Outdoor Advertising. The commission proposes to amend the Purpose and section (6).

PURPOSE: This proposed amendment outlines the circumstances in which the Missouri Highways and Transportation Commission (MHTC) may void permits already issued. MHTC promulgates this amendment in order to comply with the criteria specified in the Federal Highway Administration October 31, 2005 notification letter.

PURPOSE: This rule provides a uniform procedure for sign owners to obtain and maintain permits issued by the [State] Missouri Highways and Transportation Commission for outdoor advertising specified by section [226.550] 226.530, RSMo.

(6) Permits.

(A) Issuance of the Permit. Upon proper application and payment of fee for any sign eligible for a permit, the *[right-of-way director or designee] outdoor advertising permit specialist* shall issue a *[one (1)-time permanent]* permit. The permit owner must erect the sign, if not already in existence within two (2) years of the date the permit was issued by the commission and the erected outdoor advertising structure must comply with all current sections of 226.500 through 226.600, RSMo, and 7 CSR 10-6.010 through 7 CSR 10-6.100. This permit is for the erection of a legal conforming outdoor advertising structure.

(B) Transfer of Permit. When a sign owner transfers ownership of a sign for which a permit is required by section 226.550, RSMo, the new sign owner shall notify the commission by filing an application for transfer, along with a ten dollar (\$10) fee[,] on a form supplied by the *[right-of-way director or designee] outdoor advertising permit specialist* for the area in which the sign is located (see 7 CSR 10-6.010). Applications must be completed in full. Incomplete or incorrectly completed application forms *[shall] may* be rejected *[and] or* returned by the outdoor advertising permit specialist to the applicant.

(C) Voiding of Permits **Without Compensation**. Permits may be voided **without compensation to be paid to the permit holder** under the following conditions:

1. *[Any misrepresentation of material fact on any application under this section or violation of any one (1) or more of the requirements of this section shall be grounds for voiding the permit. Any existing sign is then maintained without a permit and subject to removal under section 226.580, RSMo and 7 CSR 10-6.080(2). A notice to remove outdoor advertising shall be sent to the sign owner and to the landowner;]* **When there has been any misrepresentation of a material fact by the applicant on a permit application and the sign is removed under section 226.580, RSMo;**

2. The permit for any unbuilt structure shall be voided if the sign, complete with message, is not in existence within two (2) years of the date the permit was issued by the commission[.];

3. **When the commission determines that a change has been made to a conforming sign by the sign owner and the sign has been removed under section 226.580, RSMo; or**

4. **When the commission determines that a substantial change has been made to a nonconforming sign by the sign owner such that the sign's nonconforming status was terminated and the sign was removed under the commission's administrative rules for maintenance of nonconforming signs.**

(D) Voiding of Permits With Compensation. The commission is also authorized to void any permit when the commission determines that such permit has been erroneously issued by department staff in violation of any state law or administrative rule and the outdoor advertising shall be subject to removal and compensation shall be paid pursuant to section 226.570, RSMo.

AUTHORITY: *sections 226.150[, RSMo 2000] and [226.500–226.600] 226.530, RSMo 2000 [and Supp. 2002]. Original rule filed May 16, 1977, effective Oct. 15, 1977. Amended: Filed Jan. 16, 1990, effective June 11, 1990. Amended: Filed June 15, 1993, effective Jan. 31, 1994. Amended: Filed Aug. 31, 1999, effective March 30, 2000. Amended: Filed April 15, 2003, effective Nov. 30, 2003. Amended: Filed Feb. 8, 2007.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the*

Missouri Department of Transportation, Mari Ann Winters, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

Division 10—Division of Employment Security

Chapter 3—Unemployment Insurance

PROPOSED AMENDMENT

8 CSR 10-3.130 [Direct Deposit] Electronic Transfer of Unemployment Benefits. The division is amending the title, purpose, sections (1) through (4), deleting sections (5) through (7), adding a new section (3), and renumbering the remaining sections.

PURPOSE: *This amendment provides for the disbursement of unemployment benefits to claimants through the use of electronic payment cards. This amendment also provides that the direct deposit of unemployment benefits into claimants' accounts at financial institutions is optional.*

PURPOSE: *This rule implements and sets forth the requirements regarding the [mandatory direct deposit] electronic funds transfer of unemployment benefits [into claimants' accounts at financial institutions] payable to claimants pursuant to Chapter 288, RSMo.*

(1) The Division of Employment Security has established an electronic funds transfer system to transfer directly to claimant's accounts *[in financial institutions]* benefits payable to them pursuant to Chapter 288, RSMo. *[This program shall be known as the Unemployment Benefit Direct Deposit Program.]*

(2) *[Unless the division waives application of this rule, all benefits payable pursuant to Chapter 288, RSMo shall be transferred by means of electronic funds transfer directly into claimant's accounts in financial institutions designated by the claimants.]* For purposes of this rule, the "electronic payment card" shall be an electronic access-type card which shall not have a line of credit. The only funds which may be deposited in an electronic payment card account established under this rule shall be unemployment insurance benefits payable pursuant to Chapter 288, RSMo and related federal benefits.

(3) Unless an individual files a timely direct deposit application with the division, all benefits payable pursuant to Chapter 288, RSMo shall be disbursed by means of an electronic payment card. The division shall not be in any way liable for any transaction or other associated costs that cause a claimant/cardholder to exceed the amount available in his or her electronic payment card account. The division reserves the right to initiate credit entries and debit entries to correct erroneous entries to a claimant/cardholder's electronic payment card account. If a claimant/cardholder's electronic payment card account is closed prior to the claimant/cardholder drawing down all available funds in the account, the unexpended funds shall be returned to the division and deposited in the unemployment compensation trust fund.

[[3]] (4) [Each individual filing an initial claim for a determination of insured worker status shall complete a direct deposit application form authorizing the division to deposit benefit payments into a designated checking or savings account.] An individual desiring the direct deposit of unemployment benefits into a designated checking or savings account

at a financial institution shall complete and file with the division a direct deposit application form. The direct deposit application form shall be *[completed and transmitted to]* filed with the division within *[ten (10)] seven (7)* days after the filing of the initial claim. The *[completion of a]* direct deposit application form shall authorize the division to initiate credit entries, and debit entries to correct erroneous credit entries, to the claimant's designated checking or savings account. On the direct deposit application form the claimant shall provide the following: claimant's name, claimant's Social Security number, name of the designated financial institution, type of deposit account, signature, and date. The claimant shall *[transmit]* file the completed direct deposit application form *[to the division]* along with a *[void]* voided or canceled check or deposit slip for the designated deposit account. At any time during the benefit year, a claimant may change the designated checking or savings account by filing with the division a new direct deposit application form. Unless the claimant changes the designated checking or savings account by filing a new direct deposit application form, the division shall direct all benefits payable to the claimant during his or her benefit year to the checking or savings account designated by the claimant on the direct deposit application form currently on file with the division. Direct deposit application forms may be obtained by contacting one of the division's regional claim centers or by downloading the form through the division's Internet website at <http://dolir.mo.gov/es/ui-benefits/B-6-5-AI.pdf>.

[[4]] (5) [At any time during the benefit year, a claimant may change the designated checking or savings account by completing and transmitting to the division a new direct deposit application form. Unless the claimant changes the designated checking or savings account by completing a new direct deposit application form, the division shall direct all benefits payable to the claimant during his or her benefit year to the checking or savings account designated by the claimant on the direct deposit application form currently on file with the division. All individuals currently claiming benefits pursuant to Chapter 288, RSMo shall complete a direct deposit application form as directed by the division.] The provisions of this rule regarding electronic payment cards will not become effective until the division has entered into a contract with a contractor to issue the electronic payment cards. The division will implement the provisions of this rule regarding electronic payment cards over a period of six (6) months following the execution of such contract.

[[5]] The division may waive application of this rule and continue to pay benefits by warrant under any of the following circumstances:

(A) The claimant has a physical or mental disability, as documented by a health care professional, that would impede the claimant's ability to gain access to electronically deposited funds;

(B) The claimant certifies that his or her religious convictions preclude the use of direct deposits;

(C) The claimant is precluded from having a checking or savings account because his or her primary residence is too remote to have access to a financial institution;

(D) The claimant's financial institution submits a written statement to the division confirming the institution's inability to accept an electronic deposit or withdrawal;

(E) The claimant's financial institution submits a written statement to the division confirming that the institution charges for an electronic deposit or withdrawal;

(F) The claimant does not have a checking or savings account currently and is unable to establish such an account within the claimant's geographic area without the payment of a service fee;

(G) The claimant does not have a checking or savings account currently and all financial institutions within the claimant's geographic area charge a service fee to establish or maintain such an account unless the claimant maintains a minimum balance in the account; or

(H) The division determines that the facts of the particular case warrant a waiver of this rule.

(6) Any request for a waiver of this rule shall be in writing, signed by the claimant, and transmitted to the division. The request must set forth in detail why the claimant cannot utilize direct deposit of unemployment benefit payments. The request must also include any required supporting documentation.

(7) If the division denies a claimant's request for a waiver of this rule, the claimant may appeal the denial to the appeals tribunal within thirty (30) calendar days after the denial notice is mailed to the claimant's last known address.]

[[8]] (6) Notwithstanding the provisions of [section (2) of] this rule, the division may continue to pay benefits by warrant when necessary to comply with federal or state law.

AUTHORITY: sections 288.060, RSMo Supp. 2006 and 288.220, RSMo 2000. Emergency rule filed April 14, 2003, effective May 1, 2003, expired Oct. 27, 2003. Original rule filed April 14, 2003, effective Oct. 30, 2003. Amended: Filed Feb. 14, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Employment Security, Attn: Katharine Barondeau, PO Box 59, Jefferson City, MO 65104-0059. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 10—Air Conservation Commission

Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.300 Conformity of General Federal Actions to State Implementation Plans. The commission proposes to amend the rule purpose and subsections (2)(B) and (3)(B). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency to replace the current rule in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/reg/regagenda.htm.

PURPOSE: This rule implements section 176(c) of the Clean Air Act, as amended (42 U.S.C. 7401-7671q.) and regulations under 40 CFR

part 51 subpart W, with respect to the conformity of general federal actions to the applicable implementation plan. Under those authorities, no department, agency or instrumentality of the federal government shall engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to an applicable implementation plan. This rule sets forth policy, criteria, and procedures for demonstrating and assuring conformity of such actions to the applicable implementation plan. This rule applies to all areas in the state of Missouri which are designated as nonattainment or maintenance for any criteria pollutant or standard for which there is a national ambient air quality standard. This rule amendment will adopt specific revisions to the federal rule: Determining Conformity of General Federal Actions to State or Federal Implementation Plans. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is the Federal Register Notice, published July 17, 2006, pages 40420-40427.

PURPOSE: *This rule implements section 176(c) of the Clean Air Act, as amended (42 U.S.C. 7401 [et seq.]-7671q.) and regulations under 40 CFR part 51 subpart W, with respect to the conformity of general federal actions to the applicable implementation plan. Under those authorities, no department, agency or instrumentality of the federal government shall engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to an applicable implementation plan. This rule sets forth policy, criteria, and procedures for demonstrating and assuring conformity of such actions to the applicable implementation plan. This rule applies to all areas in the state of Missouri which are designated as nonattainment or maintenance for any criteria pollutant or standard for which there is a national ambient air quality standard.*

(2) Definitions.

(B) Additional definitions specific to this rule are as follows:

1. Affected federal land manager—the federal agency or the federal official charged with direct responsibility for management of an area designated as Class I under the CAA (42 U.S.C. 7472) that is located within one hundred kilometers (100 km) of the proposed federal action;

2. Applicable implementation plan—the [//portion/] of the implementation plan, or most recent revision thereof, which has been approved under section 110 of the CAA, or promulgated under section 110(c) of the CAA (federal implementation plan), or promulgated or approved pursuant to regulations promulgated under section 301(d) of the CAA and which implements the relevant requirements of the CAA;

3. Area wide air quality modeling analysis—an assessment on a scale that includes the entire nonattainment or maintenance area which uses an air quality dispersion model to determine the effects of emissions on air quality;

4. CAA—the Clean Air Act, as amended;

5. Cause or contribute to a new violation—a federal action that—

A. Causes a new violation of a national ambient air quality standard (NAAQS) at a location in a nonattainment or maintenance area which would otherwise not be in violation of the standard during the future period in question if the federal action were not taken; or

B. Contributes, in conjunction with other reasonably foreseeable actions, to a new violation of a NAAQS at a location in a nonattainment or maintenance area in a manner that would increase the frequency or severity of the new violation;

6. Caused by, as used in the terms “direct emissions” and “indirect emissions”—emissions that would not otherwise occur in the absence of the federal action;

7. Criteria pollutant or standard—any pollutant for which there is established a NAAQS at 40 CFR part 50;

8. Direct emissions—those emissions of a criteria pollutant or its precursors that are caused or initiated by the federal action and occur at the same time and place as the action;

9. Emergency—a situation where extremely quick action on the part of the federal agencies involved is needed and where the timing of such federal activities makes it impractical to meet the requirements of this rule, such as natural disasters like hurricanes or earthquakes, civil disturbances such as terrorist acts, and military mobilizations;

10. Emissions budgets—those portions of the total allowable emissions defined in an EPA approved revision to the applicable implementation plan for a certain date for the purpose of meeting reasonable further progress milestones or attainment or maintenance demonstrations, for any criteria pollutant or its precursors, specifically allocated by the applicable implementation plan to mobile sources, to any stationary source or class of stationary sources, to any federal action or class of action, to any class of area sources, or to any subcategory of the emissions inventory. The allocation system must be specific enough to assure meeting the criteria of section 176(c)(1)(B) of the CAA. An emissions budget may be expressed in terms of an annual period, a daily period, or other period established in the applicable implementation plan;

11. Emission offsets, for purposes of section (8) of this rule—emissions reductions which are quantifiable, consistent with the applicable implementation plan attainment and reasonable further progress demonstrations, surplus to reductions required by, and credited to, other applicable implementation plan provisions, enforceable under both state and federal law, and permanent within the time frame specified by the program. Emissions reductions intended to be achieved as emissions offsets under this rule must be monitored and enforced in a manner equivalent to that under EPA’s new source review requirements;

12. Emissions that a federal agency has a continuing program responsibility for—emissions that are specifically caused by an agency carrying out its authorities, and does not include emissions that occur due to subsequent activities, unless such activities are required by the federal agency. Where an agency, in performing its normal program responsibilities, takes actions itself or imposes conditions that result in air pollutant emissions by a nonfederal entity taking subsequent actions, such emissions are covered by the meaning of a continuing program responsibility;

13. EPA—the United States Environmental Protection Agency;

14. Federal action—any activity engaged in by a department, agency, or instrumentality of the federal government, or any activity that a department, agency or instrumentality of the federal government supports in any way, provides financial assistance for, licenses, permits, or approves, other than activities related to transportation plans, programs, and projects developed, funded, or approved under Title 23 U.S.C. or the Federal Transit Act (49 U.S.C. 1601 et seq.). Where the federal action is a permit, license, or other approval for some aspect of a nonfederal undertaking, the relevant activity is the part, portion, or phase of the nonfederal undertaking that requires the federal permit, license, or approval;

15. Federal agency—for purposes of this rule, a federal department, agency, or instrumentality of the federal government;

16. Increase the frequency or severity of any existing violation of any standard in any area—to cause a nonattainment area to exceed a standard more often or to cause a violation at a greater concentration than previously existed or would otherwise exist during the future period in question, if the project were not implemented;

17. Indirect emissions—those emissions of a criteria pollutant or its precursors that—

A. Are caused by the federal action, but may occur later in time or may be farther removed in distance from the action itself but are still reasonably foreseeable; and

B. The federal agency can practicably control and will maintain control due to a continuing program responsibility of the federal agency, including, but not limited to—

(I) Traffic on or to, or stimulated or accommodated by, a proposed facility which is related to increases or other changes in the scale or timing of operations of such facility;

(II) Emissions related to the activities of employees of contractors or federal employees;

(III) Emissions related to employee commutation and similar programs to increase average vehicle occupancy imposed on all employers of a certain size in the locality; or

(IV) Emissions related to the use of federal facilities under lease or temporary permit.

18. Local air quality modeling analysis—an assessment of localized impacts on a scale smaller than the entire nonattainment or maintenance area, including, for example, congested roadway intersections and highways or transit terminals, which uses an air quality dispersion model to determine the effects of emissions on air quality;

19. Maintenance area—any geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently redesignated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA;

20. Maintenance plan—a revision to the applicable implementation plan, meeting the requirements of section 175A of the CAA;

21. Metropolitan planning organization (MPO)—that organization designated as being responsible, together with the state, for conducting the continuing, cooperative, and comprehensive planning process under 23 U.S.C. 134 and 49 U.S.C. 1607;

22. Milestone—has the meaning given in sections 182(g)(1) and 189(c)(1) of the CAA. A milestone consists of an emissions level and the date on which it is required to be achieved;

23. National ambient air quality standards (NAAQS)—those standards established pursuant to section 109 of the CAA and include standards for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO₂), ozone, particulate matter (PM₁₀), and sulfur dioxide (SO₂);

24. NEPA—the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.);

25. Nonattainment area (NAA)—any geographic area of the United States which has been designated as nonattainment under section 107 of the CAA and described in 40 CFR part 81;

26. Precursors of a criteria pollutant are—

A. For ozone, nitrogen oxides (NO_x) (unless an area is exempted from NO_x requirements under section 182(f) of the CAA), and volatile organic compounds (VOCs); *and*

B. For PM₁₀, those pollutants described in the PM₁₀ nonattainment area applicable implementation plan as significant contributors to the PM₁₀ levels; *and*

C. For particulate matter with an aerodynamic diameter equal or less than 2.5 microns (PM_{2.5})—

(I) Sulfur dioxide (SO₂) in all PM_{2.5} nonattainment and maintenance areas;

(II) Nitrogen oxides in all PM_{2.5} nonattainment and maintenance areas unless both the state and EPA determine that it is not a significant precursor; *and*

(III) Volatile organic compounds (VOC) and ammonia (NH₃) only in PM_{2.5} nonattainment or maintenance areas where either the state or EPA determines that they are significant precursors.

27. Reasonably foreseeable emissions—projected future indirect emissions that are identified at the time the conformity determination is made; the location of such emissions is known to the extent adequate to determine the impact of such emissions; and the emissions are quantifiable, as described and documented by the federal agency based on its own information and after reviewing any information presented to the federal agency;

28. Regionally significant action—a federal action for which the direct and indirect emissions of any pollutant represent ten percent (10%) or more of a nonattainment or maintenance area's emissions inventory for that pollutant;

29. Regional water or wastewater projects—include construction, operation, and maintenance of water or wastewater conveyances, water or wastewater treatment facilities, and water storage reservoirs which affect a large portion of a nonattainment or maintenance area; and

30. Total of direct and indirect emissions—the sum of direct and indirect emissions increases and decreases caused by the federal action; that is, the net emissions considering all direct and indirect emissions. Any emissions decreases used to reduce such total shall have already occurred or shall be enforceable under state and federal law. The portion of emissions which are exempt or presumed to conform under subsections (3)(C), (D), (E), or (F) of this rule are not included in the “total of direct and indirect emissions,” except as provided in subsection (3)(J). The “total of direct and indirect emissions” includes emissions of criteria pollutants and emissions of precursors of criteria pollutants. The segmentation of projects for conformity analyses when emissions are reasonably foreseeable is not permitted by this rule.

(3) Applicability.

(B) For federal actions not covered by subsection (3)(A) of this rule, a conformity determination is required for each **criteria pollutant or precursor** where the total of direct and indirect emissions **of the criteria pollutant or precursor** in a nonattainment or maintenance area caused by a federal action would equal or exceed any of the rates in paragraph (3)(B)1. or 2. of this rule.

1. For purposes of subsection (3)(B) of this rule, the following rates apply in nonattainment areas (NAAs):

	Tons/Year
Ozone (VOC or NO _x)	
Serious NAAs	50
Severe NAAs	25
Extreme NAAs	10
Other ozone NAAs outside an ozone transport region	100
Marginal and moderate NAAs inside an ozone transport region	
VOC	50
NO _x	100
Carbon monoxide	
All NAAs	100
SO ₂ or NO ₂	
All NAAs	100
PM ₁₀	
Moderate NAAs	100
Serious NAAs	70
PM _{2.5}	
Direct emissions	100
SO ₂	100
NO _x (unless determined not to be significant precursor)	100
VOC or ammonia (if determined to be significant precursors)	100
Pb	
All NAAs	25

2. For purposes of subsection (3)(B) of this rule, the following rates apply in maintenance areas:

	Tons/Year
Ozone (NO _x), SO ₂ or NO ₂	
All maintenance areas	100
Ozone (VOC)	
Maintenance areas inside an ozone transport region	50
Maintenance areas outside an ozone transport region	100
Carbon monoxide	
All maintenance areas	100
PM ₁₀	
All maintenance areas	100

PM _{2.5}	
Direct emissions	100
SO ₂	100
NO _x (unless determined not to be significant precursor)	100
VOC or ammonia (if determined to be significant precursors)	100
Pb	
All maintenance areas	25

AUTHORITY: section 643.050, RSMo [1994] 2000. Original rule filed Oct. 4, 1994, effective May 28, 1995. Amended: Filed Jan. 30, 1996, effective Sept. 30, 1996. Amended: Filed Feb. 9, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., April 26, 2007. The public hearing will be held at the Elm Street Conference Center, 1738 East Elm Street, Lower Level, Roaring River Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., May 3, 2007. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**Title [12]7—DEPARTMENT OF [REVENUE]
TRANSPORTATION
Division [20—Highway Reciprocity] 10—Missouri
Highways and Transportation Commission
Chapter [3—Apportion Registration] 25—Motor
Carrier Operations**

PROPOSED AMENDMENT

[12 CSR 20-3.010] 7 CSR 10-25.030 Apportion Registration. The Missouri Highways and Transportation Commission is amending the Purpose and sections (1), (7), (8), (12), (20), (21), (24), (25), (27), (29), and (34) of this rule and moving the rule to 7 CSR.

PURPOSE: This proposed amendment broadens the forms of identifying registration that may be used by operators of apportioned vehicles as evidence such vehicles are currently and validly registered with the Missouri Highways and Transportation Commission, clarifies procedure for returning registration credentials, and corrects references to the commission to replace non-existent state agencies.

PURPOSE: The Missouri Highways [Reciprocity] and Transportation Commission has the authority to negotiate and to enter reciprocal agreements with other jurisdictions. This rule explains the provisions under which apportioning of registration fees with other jurisdictions can be accomplished.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome

or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Whenever the Missouri Highways [Reciprocity] and Transportation Commission (commission) has entered into an agreement providing for the payment of taxes and fees on an apportionment basis with another jurisdiction, the operator of a fleet of vehicles based in any one (1) of the contracting jurisdictions must register his/her fleet under the agreement. The International Registration Plan (IRP) and [State of Missouri Highway Reciprocity Commission] Missouri Department of Transportation Motor Carrier Services Instruction Manual, 2005 Edition, which is incorporated herein by reference and made a part of this rule as published by the Missouri Highways and Transportation Commission, Motor Carrier Services Division, 1320 Creek Trail Drive, Jefferson City, MO 65102, provide specific details and procedures and will be furnished upon request from the Missouri [Highway Reciprocity Commission] Department of Transportation, Motor Carrier Services Division. This rule does not incorporate any subsequent amendments or additions of this manual.

(7) The operator must keep accurate and complete mileage records for the period of twelve (12) consecutive months immediately prior to July 1 of the year immediately preceding the commencement of the registration or license year for which proportional registration is sought. Applicants may estimate mileage for a fleet anticipating operation in Missouri for the first registration period, expanded operations and if mileage was not accrued in an IRP jurisdiction during the reporting period. Estimated mileage by the applicant will not be acceptable if the operator has registered with the [Highway Reciprocity C]commission under a different or assumed name for the same or a similar operation.

(8) In-jurisdiction miles means the total number of miles operated by a fleet of proportionally registered vehicles in a jurisdiction during the preceding year. In those cases where the registrant operated a fleet of proportionally registered vehicles in jurisdictions that require no apportionment and grant reciprocity, the base jurisdiction shall add the miles to the in-jurisdiction miles. The [Highway Reciprocity C]commission reserves the privilege to adjust the mileage percentage by the addition or deletion of nonapportional states' miles.

(12) Missouri law forbids the granting of an exemption by the [Highway Reciprocity C]commission from any or all registration fees to any motor vehicle owners or operators duly licensed in another jurisdiction where substantially equivalent exemptions are not extended by that jurisdiction to vehicles which are duly licensed in this jurisdiction.

(20) Properly prepared proportional applications will be accepted, subject to an audit. The [secretary] commission may refuse to accept applications which list unrealistic mileage or number of vehicles. All plates and cab cards and reciprocal exemptions are subject to cancellation and revocation in the event of erroneous issuance or if any fees remain unpaid.

(21) *[All identifying credentials must be the original issued and carried upon the vehicle to which it has been assigned at all times and displayed to any appropriate official upon request]. Cab Card. Evidence of registration other than the license plate which shall be carried at all times in the vehicle for which it is issued and shall be valid for the current registration period. Acceptable forms of a cab card include, but are not limited to, the originally issued registration, including such registration issued by electronic means, and any facsimile transmission or photocopy of such original cab card. All acceptable forms of a cab card shall be legible upon visual inspection.*

(24) If an operator elects to *[delete] remove or withdraw* a vehicle from its fleet, *[the credentials must be removed by]* the operator shall either: 1) *[and] return[ed to the Highway Reciprocity] the cab card issued to the operator by the [C/]commission* with a supplemental application for the transfer of proportional credentials *[or credit which may be used on a later supplemental application within the current registration year]* or 2) **certify that the cab card has been lost, stolen or destroyed. Applications for transfer of apportioned credentials that request a replacement plate must be accompanied by a replacement fee for each plate replaced.** Vehicles registered in excess of fifty-four thousand pounds (54,000 lbs.) shall receive a refund or credit of the Missouri registration fees based on the calendar quarters remaining before expiration of the license plate if in accordance with section 301.120, RSMo.

(25) Telegraphic authority or temporary authorization will be issued for forty-five (45) days for Missouri-base licensed vehicles and thirty (30) days for vehicles based in a member jurisdiction in lieu of proportional registration and licenses so that a vehicle may immediately operate upon the highways of Missouri unless the *[secretary/ commission]* has cause to believe that the applicant will not forward immediately the fees and old credentials due the state of Missouri. A Missouri-base licensed vehicle may have one (1) fifteen (15)-day telegraphic extension. Copies of the telegram or temporary authorization must be carried in the vehicles at all times when no cab cards are available and displayed upon request of any official. If the *[secretary/ commission]* determines that telegraphic authority is being abused or temporary authorities are unaccountable, the *[secretary/ commission]* can revoke or suspend the privileges for either six (6) months or one (1) year and until all the required fees are paid. Revocation of privileges will be reviewed not later than one (1) year after implementation of the suspension.

(27) The nonfleet operator in a prorated state may be required to apply for a reciprocity cab card from the *[Highway Reciprocity C/]commission*.

(29) The *[Highway Reciprocity C/]commission* reserves the power to fix and collect a reasonable fee to cover the costs of handling and issuing all credentials or other evidence of proper registration necessary for operating a motor vehicle in this state. In every event, the charge made against owners-operators from other jurisdictions will be at least equal to charges directed against Missouri-based owners-operators by other jurisdictions.

(34) Does Not Cover *[Division of Transportation]* **Missouri Highways and Transportation Commission Fees.** Nothing in these rules shall be interpreted to govern any provisions or agreements as to reciprocity concerning the *[Division of Transportation]* **commission's** fees and charges. All questions concerning the fees and charges of the *[Division of Transportation]* **commission** are to be determined exclusively by the reciprocal agreements entered into by the *[Division of Transportation, Department of Economic Development]* **commission.**

AUTHORITY: sections [142.621] 142.617 and 301.275, RSMo [1986] 2000 [and 142.167, RSMo Supp. 1990] and 226.008, RSMo Supp. 2006. Original rule filed July 22, 1965, effective Aug. 1, 1965. Amended: Filed Oct. 28, 1974, effective Nov. 7, 1974. Amended: Filed Oct. 15, 1986, effective Jan. 30, 1987. Amended: Filed Nov. 1, 1991, effective March 9, 1992. Emergency amendment filed Feb. 8, 2007, effective March 3, 2007, expires Aug. 29, 2007. Moved and amended: Filed Feb. 8, 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Mari Ann Winters, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division
of Personnel
Chapter 4—Appeals, Investigations, Hearings and
Grievances**

ORDER OF RULEMAKING

By the authority vested in the Personnel Advisory Board under section 36.070, RSMo 2000, the board amends a rule as follows:

1 CSR 20-4.010 Appeals is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 2006 (31 MoReg 1867-1869). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 50—Oil and Gas Council
Chapter 2—Oil and Gas Drilling and Production**

ORDER OF RULEMAKING

By the authority vested in the Department's State Oil and Gas Council, under section 259.070, RSMo 2000, the council amends a rule as follows:

**10 CSR 50-2.030 Application for Permit to Drill, Deepen,
Plug-Back, or Inject is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 16, 2006 (31 MoReg 1645-1646). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 50—Tickets and Prizes**

ORDER OF RULEMAKING

By the authority vested in the State Lottery Commission under section 313.220, RSMo Supp. 2006, the commission adopts a rule as follows:

12 CSR 40-50.050 Claim Period is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 15, 2006 (31 MoReg 1874-1875). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 80—General Rules—Instant Game**

ORDER OF RULEMAKING

By the authority vested in the State Lottery Commission under section 313.220, RSMo Supp. 2006, the commission rescinds a rule as follows:

12 CSR 40-80.080 Claim Period is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 15, 2006 (31 MoReg 1875). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System
of Missouri
Chapter 5—Retirement, Options and Benefits**

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2006, the board hereby amends a rule as follows:

16 CSR 10-5.010 Service Retirement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2006 (31 MoReg 2001-2002). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Public School Retirement System of Missouri received one (1) comment on the proposed amendment.

COMMENT: Dr. Carter Ward, Executive Director of the Missouri School Boards' Association, requested that the Public School Retirement System of Missouri clarify "employed in a position covered by the retirement system" and how the proposed amendment integrates with current statutory provisions authorizing employment of retirees.

RESPONSE: The proposed amendment sets forth the requirements for termination of employment so that a member of the Public School Retirement System (PSRS) may qualify for retirement. Pursuant to the proposed amendments, the member has neither properly terminated nor qualified for retirement if he or she is employed in a position covered by the retirement system within sixty (60) days of the member's effective date of retirement without regard to the provisions of sections 169.560 and 169.596. Also, the same applies if a member executes a contract for employment in a position covered by the retirement system prior to receiving his or her first retirement benefit payment (i.e., within thirty (30) days after the effective date of retirement). A "position covered by the retirement system" is a position in which an individual meets all of the requirements for membership in PSRS or the Public Education Employee Retirement System of Missouri (PEERS) regardless of the provisions of sections 169.560 and 169.596. Those statutory sections relating to working after retirement do not apply until a member has properly terminated employment. PSRS will consider a member to be properly retired only if the member has properly terminated employment according to the proposed amendments. Only at that point will the working after retirement provisions in sections 169.560 and 169.596 apply to post-retirement employment. As an example, a member may not be employed in a PSRS/PEERS covered position under the working after retirement provisions of section 169.560 or 169.596 within sixty (60) days of the member's effective date of retirement. In addition, a member may not execute a contract with such an employer for employment under section 169.560 or 169.596 within thirty (30) days after his or her effective date of retirement. The comment also cites section 169.331; however, that section applies only to the Public School Retirement System of Kansas City. No changes have been made to the amendment as a result of this comment.

2006 (31 MoReg 2002). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Public Education Employee Retirement System of Missouri received one (1) comment on the proposed amendment.

COMMENT: Dr. Carter Ward, Executive Director of the Missouri School Boards' Association, requested that the Public Education Employee Retirement System of Missouri clarify "employed in a position covered by the retirement system" and how the proposed amendment integrates with current statutory provisions authorizing employment of retirees.

RESPONSE: The proposed amendment for each system sets forth the requirements for termination of employment so that a member of the Public Education Employee Retirement System (PEERS) may qualify for retirement. Pursuant to the proposed amendments, the member has neither properly terminated nor qualified for retirement if he or she is employed in a position covered by the retirement system within sixty (60) days of the member's effective date of retirement without regard to the provisions of sections 169.560 and 169.596. Also, the same applies if a member executes a contract for employment in a position covered by the retirement system prior to receiving his or her first retirement benefit payment (i.e., within thirty (30) days after the effective date of retirement). A "position covered by the retirement system" is a position in which an individual meets all of the requirements for membership in PEERS or the Public School Retirement System of Missouri (PSRS) regardless of the provisions of sections 169.560 and 169.596. Those statutory sections relating to working after retirement do not apply until a member has properly terminated employment. PEERS will consider a member to be properly retired only if the member has properly terminated employment according to the proposed amendments. Only at that point will the working after retirement provisions in sections 169.560 and 169.596 apply to post-retirement employment. As an example, a member may not be employed in a PEERS/PSRS covered position under the working after retirement provisions of section 169.560 or 169.596 within sixty (60) days of the member's effective date of retirement. In addition, a member may not execute a contract with such an employer for employment under section 169.560 or 169.596 within thirty (30) days after his or her effective date of retirement. The comment also cites section 169.331; however, that section applies only to the Public School Retirement System of Kansas City. No changes have been made to the amendment as a result of this comment.

Title 16—RETIREMENT SYSTEMS**Division 10—The Public School Retirement System of Missouri****Chapter 6—The Public Education Employee Retirement System of Missouri****ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.610, RSMo Supp. 2006, the board hereby amends a rule as follows:

16 CSR 10-6.060 Service Retirement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1,

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 60—Missouri Health Facilities Review Committee Chapter 50—Certificate of Need Program

EXPEDITED APPLICATION REVIEW SCHEDULE

The Missouri Health Facilities Review Committee has initiated review of the expedited applications listed below. A decision is tentatively scheduled for March 26, 2007. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

02/13/07

#4033 HS: Lester E. Cox Medical Centers
Springfield (Greene County)
\$1,800,800, Replace positron emission tomography/computerized tomography unit

02/13/07

#3985 RP: Culpepper Place of Chesterfield Village
Springfield (Greene County)
\$1, Long-term care bed expansion through the purchase of 20 residential care facility beds from Culpepper Place of Nevada

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by March 16, 2007. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
Post Office Box 570
Jefferson City, MO 65102

For additional information contact
Donna Schuessler, (573) 751-6403.

Title 20—DEPARTMENT OF INSURANCE

IN ADDITION

Pursuant to section 538.210, RSMo regarding the medical malpractice award limit, the director of insurance is required to calculate the new limitation for non-economic damages in medical malpractice awards.

Using the Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 538.210, RSMo the new medical malpractice award limit was established by the following calculations:

Index Based on 2000 Dollars
Third Quarter 2006 IPD Index 115.00
Third Quarter 2005 IPD Index 112.86

New 2007 Limit = 2006 Limit × (2006 Index/2005 Index)
607,980 = 596,666 × (1.1500/1.1286)

2007 Non-Economic Damages Limit (Rounded) = \$608,000

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST CARONDELET RADIATION BUILDING, INC.

On August 9, 2006, Carondelet Radiation Building, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on August 9, 2006.

Said Corporation requests that all persons and organizations who have claims against it present them immediately by letter to the Corporation in care of Randal L. Schultz, 120 West 12th Street, Suite 1800, Kansas City, Missouri 64105. All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

All claims against said Corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of this notice, or the publication date of any other notice required by law, whichever is later.

NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST NORTHLAND RADIATION CENTER, L.L.C.

On August 7, 2006, Northland Radiation Center, LLC, a Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State. Dissolution was effective on August 7, 2006.

Said Company requests that all persons and organizations who have claims against it present them immediately by letter to the Company in care of Randal L. Schultz, 120 West 12th Street, Suite 1800, Kansas City, Missouri 64105. All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

All claims against said Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice, or the publication date of any other notice required by law, whichever is later.

NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS
AGAINST CARONDELET RADIATION EQUIPMENT, INC.

On August 9, 2006, Carondelet Radiation Equipment, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on August 9, 2006.

Said Corporation requests that all persons and organizations who have claims against it present them immediately by letter to the Corporation in care of Randal L. Schultz, 120 West 12th Street, Suite 1800, Kansas City, Missouri 64105. All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

All claims against said Corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of this notice, or the publication date of any other notice required by law, whichever is later.

Notice of Winding Up
To All Creditors of and
Claimants Against
Lexiter Technologies - SWP, L.L.C.

On January 29, 2007, Lexiter Technologies - SWP, L.L.C., a Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State

Said entity requests that all persons and organizations who have claims against it present them immediately by letter to the entity in care of Mark Z. Schraier, 168 N. Meramec Ave., 4th Floor, Clayton, MO 63105. All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

All claims against said entity will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice, or the publication date of any other notice required by law, whichever is later.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				30 MoReg 2435
1 CSR 20-4.010	Personnel Advisory Board and Division of Personnel		31 MoReg 1867	This Issue	
DEPARTMENT OF AGRICULTURE					
2 CSR 70-25.120	Plant Industries				32 MoReg 356
2 CSR 80-2.010	State Milk Board		This Issue		
2 CSR 80-2.020	State Milk Board		This Issue		
2 CSR 80-2.030	State Milk Board		This Issue		
2 CSR 80-2.040	State Milk Board		This Issue		
2 CSR 80-2.050	State Milk Board		This Issue		
2 CSR 80-2.060	State Milk Board		This Issue		
2 CSR 80-2.070	State Milk Board		This Issue		
2 CSR 80-2.080	State Milk Board		This Issue		
2 CSR 80-2.091	State Milk Board		This Issue		
2 CSR 80-2.101	State Milk Board		This Issue		
2 CSR 80-2.110	State Milk Board		This Issue		
2 CSR 80-2.121	State Milk Board		This Issue		
2 CSR 80-2.130	State Milk Board		This Issue		
2 CSR 80-2.141	State Milk Board		This Issue		
2 CSR 80-2.151	State Milk Board		This Issue		
2 CSR 80-2.161	State Milk Board		This Issue		
2 CSR 80-2.170	State Milk Board		This Issue		
DEPARTMENT OF CONSERVATION					
3 CSR 10-6.535	Conservation Commission		32 MoReg 215		
3 CSR 10-7.455	Conservation Commission				32 MoReg 261
3 CSR 10-9.353	Conservation Commission		31 MoReg 1739R	32 MoReg 253R	
			31 MoReg 1739	32 MoReg 253	
3 CSR 10-9.565	Conservation Commission		31 MoReg 769		
			31 MoReg 1742	32 MoReg 253	
3 CSR 10-9.625	Conservation Commission		31 MoReg 1743	32 MoReg 254	
3 CSR 10-9.628	Conservation Commission		31 MoReg 1744	32 MoReg 255	
3 CSR 10-11.125	Conservation Commission		31 MoReg 1745	32 MoReg 255	
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 30-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects (<i>Changed to 20 CSR 2030-6.015</i>)		31 MoReg 1392	31 MoReg 2056	
4 CSR 150-2.125	State Board of Registration for the Healing Arts (<i>Changed to 20 CSR 2150-2.125</i>)		31 MoReg 1398	32 MoReg 259	
4 CSR 150-3.010	State Board of Registration for the Healing Arts (<i>Changed to 20 CSR 2150-3.010</i>)		31 MoReg 1398	32 MoReg 260	
4 CSR 150-3.203	State Board of Registration for the Healing Arts (<i>Changed to 20 CSR 2150-3.203</i>)		31 MoReg 1399	32 MoReg 260	
4 CSR 150-5.100	State Board of Registration for the Healing Arts (<i>Changed to 20 CSR 2150-5.100</i>)		31 MoReg 1399	32 MoReg 355W	
4 CSR 150-7.135	State Board of Registration for the Healing Arts (<i>Changed to 20 CSR 2150-7.135</i>)		31 MoReg 1400	32 MoReg 355W	
4 CSR 200-4.100	State Board of Nursing (<i>Changed to 20 CSR 2200-4.100</i>)		31 MoReg 1401	32 MoReg 260	
4 CSR 200-4.200	State Board of Nursing (<i>Changed to 20 CSR 2200-4.200</i>)		31 MoReg 1401	32 MoReg 355W	
4 CSR 220-2.010	State Board of Pharmacy (<i>Changed to 20 CSR 2220-2.010</i>)		31 MoReg 1468	32 MoReg 489	
4 CSR 220-2.020	State Board of Pharmacy (<i>Changed to 20 CSR 2220-2.020</i>)		31 MoReg 1474	32 MoReg 490	
4 CSR 220-2.025	State Board of Pharmacy (<i>Changed to 20 CSR 2220-2.025</i>)		31 MoReg 1474	32 MoReg 491W	
4 CSR 220-2.190	State Board of Pharmacy (<i>Changed to 20 CSR 2220-2.190</i>)		31 MoReg 1479	32 MoReg 491	
4 CSR 220-2.450	State Board of Pharmacy (<i>Changed to 20 CSR 2220-2.450</i>)		31 MoReg 1479	32 MoReg 491	
4 CSR 220-2.900	State Board of Pharmacy (<i>Changed to 20 CSR 2220-2.900</i>)		31 MoReg 1482	32 MoReg 492	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 220-5.020	State Board of Pharmacy (<i>Changed to 20 CSR 2220-5.020</i>)		31 MoReg 1485	32 MoReg 492	
4 CSR 220-5.030	State Board of Pharmacy (<i>Changed to 20 CSR 2220-5.030</i>)		31 MoReg 1485	32 MoReg 492	
4 CSR 240-37.010	Public Service Commission		31 MoReg 1758	32 MoReg 341	
4 CSR 240-37.020	Public Service Commission		31 MoReg 1758	32 MoReg 341	
4 CSR 240-37.030	Public Service Commission		31 MoReg 1759	32 MoReg 342	
4 CSR 240-37.040	Public Service Commission		31 MoReg 1763	32 MoReg 347	
4 CSR 240-37.050	Public Service Commission		31 MoReg 1763	32 MoReg 347	
4 CSR 240-37.060	Public Service Commission		31 MoReg 1764	32 MoReg 348	
4 CSR 262-1.010	Small Business Regulatory Fairness Board		32 MoReg 9		
4 CSR 262-1.020	Small Business Regulatory Fairness Board		32 MoReg 13		
4 CSR 265-9.010	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.010</i>)		32 MoReg 15		
4 CSR 265-9.020	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.020</i>)		32 MoReg 16		
4 CSR 265-9.040	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.040</i>)		32 MoReg 17		
4 CSR 265-9.050	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.050</i>)		32 MoReg 19		
4 CSR 265-9.060	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.060</i>)		32 MoReg 19		
4 CSR 265-9.070	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.070</i>)		32 MoReg 19		
4 CSR 265-9.090	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.090</i>)		32 MoReg 20		
4 CSR 265-9.100	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.100</i>)		32 MoReg 20		
4 CSR 265-9.110	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.110</i>)		32 MoReg 21		
4 CSR 265-9.130	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.130</i>)		32 MoReg 24		
4 CSR 265-9.140	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.140</i>)		32 MoReg 24		
4 CSR 265-9.150	Division of Motor Carrier and Railroad Safety (<i>Changed to 7 CSR 265-9.150</i>)		32 MoReg 25		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-261.040	Division of Administrative and Financial Services		32 MoReg 26		
5 CSR 30-345.010	Division of Administrative and Financial Services		31 MoReg 1417R	32 MoReg 349R	
5 CSR 30-640.010	Division of Administrative and Financial Services		31 MoReg 1869R		
5 CSR 30-660.065	Division of Administrative and Financial Services		31 MoReg 1869R		
5 CSR 50-200.010	Division of School Improvement		31 MoReg 1764		
5 CSR 50-200.050	Division of School Improvement		31 MoReg 1641		
5 CSR 50-350.040	Division of School Improvement		32 MoReg 33		
5 CSR 50-500.010	Division of School Improvement		32 MoReg 412		
5 CSR 60-100.050	Division of Career Education		31 MoReg 1644R		
5 CSR 70-742.141	Special Education		N.A.	32 MoReg 350	
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-2.020	Commissioner of Higher Education		32 MoReg 303		
6 CSR 10-2.080	Commissioner of Higher Education		32 MoReg 303		
6 CSR 10-2.120	Commissioner of Higher Education		32 MoReg 304		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-6.070	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-10.010	Missouri Highways and Transportation Commission		32 MoReg 133		
7 CSR 10-10.030	Missouri Highways and Transportation Commission		32 MoReg 134		
7 CSR 10-10.040	Missouri Highways and Transportation Commission		32 MoReg 135		
7 CSR 10-10.050	Missouri Highways and Transportation Commission		32 MoReg 135		
7 CSR 10-10.060	Missouri Highways and Transportation Commission		32 MoReg 136		
7 CSR 10-10.070	Missouri Highways and Transportation Commission		32 MoReg 136		
7 CSR 10-10.080	Missouri Highways and Transportation Commission		32 MoReg 138		
7 CSR 10-10.090	Missouri Highways and Transportation Commission		32 MoReg 138		
7 CSR 10-25.010	Missouri Highways and Transportation Commission				32 MoReg 98 32 MoReg 261
7 CSR 10-25.030	Missouri Highways and Transportation Commission (<i>Changed from 12 CSR 20-3.010</i>)	This Issue	This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
7 CSR 265-9.010	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.010)		32 MoReg 15		
7 CSR 265-9.020	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.020)		32 MoReg 16		
7 CSR 265-9.040	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.040)		32 MoReg 17		
7 CSR 265-9.050	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.050)		32 MoReg 19		
7 CSR 265-9.060	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.060)		32 MoReg 19		
7 CSR 265-9.070	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.070)		32 MoReg 19		
7 CSR 265-9.090	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.090)		32 MoReg 20		
7 CSR 265-9.100	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.100)		32 MoReg 20		
7 CSR 265-9.110	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.110)		32 MoReg 21		
7 CSR 265-9.130	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.130)		32 MoReg 24		
7 CSR 265-9.140	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.140)		32 MoReg 24		
7 CSR 265-9.150	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-9.150)		32 MoReg 25		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-3.130	Division of Employment Security		This Issue		
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-7.140	Director, Department of Mental Health		31 MoReg 1486	32 MoReg 438	
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.070	Air Conservation Commission		32 MoReg 39		
10 CSR 10-2.390	Air Conservation Commission		31 MoReg 1941		
10 CSR 10-3.090	Air Conservation Commission		32 MoReg 39		
10 CSR 10-4.070	Air Conservation Commission		32 MoReg 40		
10 CSR 10-5.160	Air Conservation Commission		32 MoReg 41		
10 CSR 10-5.220	Air Conservation Commission		32 MoReg 215		
10 CSR 10-5.375	Air Conservation Commission		32 MoReg 305R		
10 CSR 10-5.380	Air Conservation Commission		32 MoReg 305R		
10 CSR 10-5.381	Air Conservation Commission		32 MoReg 306		
10 CSR 10-5.480	Air Conservation Commission		31 MoReg 1965		
10 CSR 10-6.062	Air Conservation Commission		31 MoReg 1766		
10 CSR 10-6.070	Air Conservation Commission		32 MoReg 139		
10 CSR 10-6.075	Air Conservation Commission		32 MoReg 139		
10 CSR 10-6.080	Air Conservation Commission		32 MoReg 141		
10 CSR 10-6.300	Air Conservation Commission		This Issue		
10 CSR 10-6.350	Air Conservation Commission		31 MoReg 1766		
10 CSR 10-6.360	Air Conservation Commission		31 MoReg 1767		
10 CSR 10-6.362	Air Conservation Commission		31 MoReg 1769		
10 CSR 10-6.364	Air Conservation Commission		31 MoReg 1781		
10 CSR 10-6.366	Air Conservation Commission		31 MoReg 1791		
10 CSR 10-6.368	Air Conservation Commission		31 MoReg 1797		
10 CSR 20-4.023	Clean Water Commission	32 MoReg 395			
10 CSR 20-4.030	Clean Water Commission	32 MoReg 396			
10 CSR 20-4.061	Clean Water Commission	32 MoReg 396			
10 CSR 20-7.050	Clean Water Commission	31 MoReg 1845	31 MoReg 2049		
10 CSR 23-1.075	Division of Geology and Land Survey		31 MoReg 1644	32 MoReg 352	
10 CSR 23-3.100	Division of Geology and Land Survey		32 MoReg 320		
10 CSR 23-5.050	Division of Geology and Land Survey		32 MoReg 322		
10 CSR 50-2.030	Oil and Gas Council		31 MoReg 1645	This Issue	
10 CSR 60-13.010	Public Drinking Water Program	32 MoReg 398			
10 CSR 80-8.020	Solid Waste Management		32 MoReg 224		
10 CSR 80-8.030	Solid Waste Management		32 MoReg 226		
10 CSR 80-8.040	Solid Waste Management		32 MoReg 227R		
10 CSR 80-8.050	Solid Waste Management		32 MoReg 228		
10 CSR 80-8.060	Solid Waste Management		32 MoReg 238		
10 CSR 80-9.010	Solid Waste Management		32 MoReg 323R		
10 CSR 80-9.030	Solid Waste Management		32 MoReg 241		
10 CSR 80-9.035	Solid Waste Management		32 MoReg 242		
10 CSR 80-9.050	Solid Waste Management		32 MoReg 323		
10 CSR 100-2.010	Petroleum Storage Tank Insurance Fund Board of Trustees		32 MoReg 42		
10 CSR 100-4.010	Petroleum Storage Tank Insurance Fund Board of Trustees		32 MoReg 43		
10 CSR 100-4.020	Petroleum Storage Tank Insurance Fund Board of Trustees		32 MoReg 43		
10 CSR 100-5.010	Petroleum Storage Tank Insurance Fund Board of Trustees		32 MoReg 44		
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 30-11.010	Office of the Director		32 MoReg 142		
11 CSR 40-5.050	Division of Fire Safety		32 MoReg 45		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 40-5.065	Division of Fire Safety		32 MoReg 45		
11 CSR 40-5.070	Division of Fire Safety		32 MoReg 50		
11 CSR 40-5.080	Division of Fire Safety		32 MoReg 50		
11 CSR 40-5.090	Division of Fire Safety		32 MoReg 52		
11 CSR 40-5.110	Division of Fire Safety		32 MoReg 52		
11 CSR 45-5.180	Missouri Gaming Commission		31 MoReg 1490	32 MoReg 255	
11 CSR 45-5.190	Missouri Gaming Commission		31 MoReg 1490	32 MoReg 255	
11 CSR 45-5.200	Missouri Gaming Commission		31 MoReg 1490	32 MoReg 256	
11 CSR 45-7.030	Missouri Gaming Commission		31 MoReg 1313	32 MoReg 256	
11 CSR 45-7.040	Missouri Gaming Commission		31 MoReg 1315	32 MoReg 257	
11 CSR 45-7.080	Missouri Gaming Commission		31 MoReg 1317	32 MoReg 257	
11 CSR 45-7.120	Missouri Gaming Commission		31 MoReg 1319	32 MoReg 258	
11 CSR 45-11.040	Missouri Gaming Commission		31 MoReg 1491	32 MoReg 258	
11 CSR 45-11.090	Missouri Gaming Commission		31 MoReg 1492R	32 MoReg 258R	
11 CSR 45-11.110	Missouri Gaming Commission		31 MoReg 1492	32 MoReg 259	
11 CSR 45-12.020	Missouri Gaming Commission		31 MoReg 1493	32 MoReg 259	
11 CSR 45-12.040	Missouri Gaming Commission		31 MoReg 1493	32 MoReg 259	
11 CSR 45-12.080	Missouri Gaming Commission		31 MoReg 1990		
11 CSR 45-12.090	Missouri Gaming Commission		31 MoReg 1494	32 MoReg 259	
11 CSR 45-13.055	Missouri Gaming Commission	32 MoReg 5	32 MoReg 55		
11 CSR 45-30.280	Missouri Gaming Commission		31 MoReg 1990		
DEPARTMENT OF REVENUE					
12 CSR 10-23.255	Director of Revenue		31 MoReg 1870	32 MoReg 438	
12 CSR 10-23.270	Director of Revenue		31 MoReg 1873	32 MoReg 439	
12 CSR 10-23.446	Director of Revenue		31 MoReg 1873	32 MoReg 439	
12 CSR 10-41.010	Director of Revenue	31 MoReg 1935	31 MoReg 1991		
12 CSR 10-42.110	Director of Revenue		31 MoReg 1994R		
12 CSR 10-43.010	Director of Revenue		31 MoReg 1646	32 MoReg 439	
12 CSR 10-43.020	Director of Revenue		31 MoReg 1646	32 MoReg 439	
12 CSR 10-43.030	Director of Revenue		31 MoReg 1647	32 MoReg 439	
12 CSR 10-400.200	Director of Revenue		31 MoReg 1994		
12 CSR 10-400.210	Director of Revenue		31 MoReg 1998		
12 CSR 10-405.105	Director of Revenue		31 MoReg 2001		
12 CSR 10-405.205	Director of Revenue		31 MoReg 2001		
12 CSR 20-3.010	Highway Reciprocity Commission (<i>Changed to 7 CSR 10-25.030</i>)	This Issue	This Issue		
12 CSR 40-50.050	State Lottery		31 MoReg 1874	This Issue	
12 CSR 40-80.080	State Lottery		31 MoReg 1875R	This IssueR	
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 35-100.010	Children's Division	31 MoReg 1623	31 MoReg 1648	32 MoReg 352	
13 CSR 35-100.020	Children's Division	31 MoReg 1628	31 MoReg 1653	32 MoReg 352	
13 CSR 40-79.010	Family Support Division	31 MoReg 1635	31 MoReg 1662	32 MoReg 352	
13 CSR 70-2.100	Division of Medical Services		31 MoReg 1804	32 MoReg 439	
13 CSR 70-3.030	Division of Medical Services		31 MoReg 2050		
13 CSR 70-10.030	Division of Medical Services	32 MoReg 293	32 MoReg 332		
13 CSR 70-20.031	Division of Medical Services		32 MoReg 335		
13 CSR 70-20.032	Division of Medical Services		32 MoReg 335		
13 CSR 70-20.034	Division of Medical Services		32 MoReg 335		
ELECTED OFFICIALS					
15 CSR 30-51.180	Secretary of State	32 MoReg 399 32 MoReg 400T 32 MoReg 400	32 MoReg 415		
RETIREMENT SYSTEMS					
16 CSR 10-5.010	Retirement Systems		31 MoReg 2001	This Issue	
16 CSR 10-6.060	Retirement Systems		31 MoReg 2002	This Issue	
16 CSR 50-10.050	The County Employees' Retirement Fund		31 MoReg 1430	32 MoReg 259	
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 30-20.001	Division of Regulation and Licensure		32 MoReg 336		
19 CSR 30-30.010	Division of Regulation and Licensure		32 MoReg 336		
19 CSR 30-30.020	Division of Regulation and Licensure		32 MoReg 337		
19 CSR 30-40.410	Division of Regulation and Licensure		32 MoReg 338		
19 CSR 30-40.430	Division of Regulation and Licensure		32 MoReg 339		
19 CSR 30-40.450	Division of Regulation and Licensure		31 MoReg 995	31 MoReg 2017W	
19 CSR 30-80.030	Division of Regulation and Licensure		32 MoReg 415		
19 CSR 30-82.010	Division of Regulation and Licensure		31 MoReg 1495	32 MoReg 440	
19 CSR 30-83.010	Division of Regulation and Licensure		31 MoReg 1499	32 MoReg 443	
19 CSR 30-84.030	Division of Regulation and Licensure		31 MoReg 1502	32 MoReg 445	
19 CSR 30-84.040	Division of Regulation and Licensure		31 MoReg 1504	32 MoReg 446	
19 CSR 30-86.012	Division of Regulation and Licensure		31 MoReg 1504	32 MoReg 446	
19 CSR 30-86.022	Division of Regulation and Licensure		31 MoReg 1506	32 MoReg 448	
19 CSR 30-86.032	Division of Regulation and Licensure		31 MoReg 1509	32 MoReg 450	
19 CSR 30-86.042	Division of Regulation and Licensure		31 MoReg 1514	32 MoReg 452	
19 CSR 30-86.043	Division of Regulation and Licensure		31 MoReg 1526	32 MoReg 461	
19 CSR 30-86.045	Division of Regulation and Licensure		31 MoReg 1536	32 MoReg 462	

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19 CSR 30-86.047	Division of Regulation and Licensure		31 MoReg 1540	32 MoReg 465	
19 CSR 30-86.052	Division of Regulation and Licensure		31 MoReg 1559	32 MoReg 487	
19 CSR 30-87.020	Division of Regulation and Licensure		31 MoReg 1559	32 MoReg 488	
19 CSR 30-87.030	Division of Regulation and Licensure		31 MoReg 1560	32 MoReg 488	
19 CSR 30-88.010	Division of Regulation and Licensure		31 MoReg 1565	32 MoReg 488	
19 CSR 60-50	Missouri Health Facilities Review Committee				32 MoReg 356 This Issue
19 CSR 60-50.300	Missouri Health Facilities Review Committee	31 MoReg 1382	31 MoReg 1430	32 MoReg 352	
19 CSR 60-50.400	Missouri Health Facilities Review Committee	31 MoReg 1382	31 MoReg 1430	32 MoReg 353	
19 CSR 60-50.410	Missouri Health Facilities Review Committee	31 MoReg 1383	31 MoReg 1431	32 MoReg 353	
19 CSR 60-50.430	Missouri Health Facilities Review Committee	31 MoReg 1384	31 MoReg 1431	32 MoReg 353	
19 CSR 60-50.450	Missouri Health Facilities Review Committee	31 MoReg 1385	31 MoReg 1432	32 MoReg 353	
19 CSR 60-50.470	Missouri Health Facilities Review Committee	31 MoReg 1386	31 MoReg 1433	32 MoReg 354	
19 CSR 60-50.600	Missouri Health Facilities Review Committee	31 MoReg 1386	31 MoReg 1433	32 MoReg 354	
19 CSR 60-50.700	Missouri Health Facilities Review Committee	31 MoReg 1387	31 MoReg 1434	32 MoReg 354	
19 CSR 60-50.800	Missouri Health Facilities Review Committee	31 MoReg 1387	31 MoReg 1434	32 MoReg 354	
19 CSR 60-50.900	Missouri Health Facilities Review Committee	31 MoReg 1388	31 MoReg 1434	32 MoReg 354	
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION					
20 CSR	Medical Malpractice				30 MoReg 481 31 MoReg 616 This Issue
20 CSR	Sovereign Immunity Limits				30 MoReg 108 30 MoReg 2587 31 MoReg 2019
20 CSR 400-7.095	Life, Annuities and Health		32 MoReg 142		
20 CSR 500-5.020	Property and Casualty	32 MoReg 401	32 MoReg 416		
20 CSR 500-5.025	Property and Casualty	32 MoReg 403	32 MoReg 423		
20 CSR 500-5.026	Property and Casualty	32 MoReg 404	32 MoReg 423		
20 CSR 500-5.027	Property and Casualty	32 MoReg 404	32 MoReg 424		
20 CSR 700-6.350	Licensing		31 MoReg 931		
20 CSR 2030-3.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 1875	32 MoReg 488	
20 CSR 2030-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 55		
20 CSR 2030-11.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 1875	32 MoReg 489	
20 CSR 2030-11.025	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 1876	32 MoReg 489	
20 CSR 2115-2.010	State Committee of Dietitians		32 MoReg 58		
20 CSR 2115-2.050	State Committee of Dietitians		32 MoReg 58		
20 CSR 2120-1.010	State Board of Embalmers and Funeral Directors		32 MoReg 424		
20 CSR 2120-1.040	State Board of Embalmers and Funeral Directors		32 MoReg 428		
20 CSR 2120-2.010	State Board of Embalmers and Funeral Directors		32 MoReg 431		
20 CSR 2120-2.040	State Board of Embalmers and Funeral Directors		32 MoReg 432		
20 CSR 2120-2.050	State Board of Embalmers and Funeral Directors		32 MoReg 433		
20 CSR 2120-2.071	State Board of Embalmers and Funeral Directors		32 MoReg 434		
20 CSR 2120-2.090	State Board of Embalmers and Funeral Directors		32 MoReg 435		
20 CSR 2120-2.100	State Board of Embalmers and Funeral Directors		32 MoReg 437		
20 CSR 2150-2.125	State Board of Registration for the Healing Arts (<i>Changed from 4 CSR 150-2.125</i>)		31 MoReg 1398	32 MoReg 259	
20 CSR 2150-3.010	State Board of Registration for the Healing Arts (<i>Changed from 4 CSR 150-3.010</i>)		31 MoReg 1398	32 MoReg 260	
20 CSR 2150-3.203	State Board of Registration for the Healing Arts (<i>Changed from 4 CSR 150-3.203</i>)		31 MoReg 1399	32 MoReg 260	
20 CSR 2150-4.052	State Board of Registration for the Healing Arts		31 MoReg 1876		
20 CSR 2150-5.100	State Board of Registration for the Healing Arts (<i>Changed from 4 CSR 150-5.100</i>)		31 MoReg 1399	32 MoReg 355W	
20 CSR 2150-6.020	State Board of Registration for the Healing Arts		31 MoReg 1877		
20 CSR 2150-7.135	State Board of Registration for the Healing Arts (<i>Changed from 4 CSR 150-7.135</i>)		31 MoReg 1400	32 MoReg 355W	
20 CSR 2165-1.020	Board of Examiners for Hearing Instrument Specialists		31 MoReg 1877	32 MoReg 489	
20 CSR 2193-1.010	Interior Design Council		32 MoReg 148		
20 CSR 2193-1.020	Interior Design Council		32 MoReg 148		
20 CSR 2193-2.010	Interior Design Council		32 MoReg 148		
20 CSR 2193-2.040	Interior Design Council		32 MoReg 149		
20 CSR 2193-3.010	Interior Design Council		32 MoReg 149		
20 CSR 2193-3.020	Interior Design Council		32 MoReg 150		
20 CSR 2193-5.010	Interior Design Council		32 MoReg 150		
20 CSR 2200-4.100	State Board of Nursing (<i>Changed from 4 CSR 200-4.100</i>)		31 MoReg 1401	32 MoReg 260	

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20 CSR 2200-4.200	State Board of Nursing (<i>Changed from 4 CSR 200-4.200</i>)		31 MoReg 1401	32 MoReg 355W	
20 CSR 2210-1.010	State Board of Optometry		32 MoReg 58		
20 CSR 2210-2.011	State Board of Optometry		32 MoReg 59		
20 CSR 2210-2.020	State Board of Optometry		32 MoReg 61		
20 CSR 2210-2.070	State Board of Optometry		32 MoReg 63		
20 CSR 2220-2.010	State Board of Pharmacy (<i>Changed from 4 CSR 220-2.010</i>)		31 MoReg 1468	32 MoReg 489	
20 CSR 2220-2.020	State Board of Pharmacy (<i>Changed from 4 CSR 220-2.020</i>)		31 MoReg 1474	32 MoReg 490	
20 CSR 2220-2.025	State Board of Pharmacy (<i>Changed from 4 CSR 220-2.025</i>)		31 MoReg 1474	32 MoReg 491W	
20 CSR 2220-2.190	State Board of Pharmacy (<i>Changed from 4 CSR 220-2.190</i>)		31 MoReg 1479	32 MoReg 491	
20 CSR 2220-2.450	State Board of Pharmacy (<i>Changed from 4 CSR 220-2.450</i>)		31 MoReg 1479	32 MoReg 491	
20 CSR 2220-2.900	State Board of Pharmacy (<i>Changed from 4 CSR 220-2.900</i>)		31 MoReg 1482	32 MoReg 492	
20 CSR 2220-5.020	State Board of Pharmacy (<i>Changed from 4 CSR 220-5.020</i>)		31 MoReg 1485	32 MoReg 492	
20 CSR 2220-5.030	State Board of Pharmacy (<i>Changed from 4 CSR 220-5.030</i>)		31 MoReg 1485	32 MoReg 492	
20 CSR 2235-1.015	State Committee of Psychologists		32 MoReg 150		
20 CSR 2235-1.050	State Committee of Psychologists		32 MoReg 151		
20 CSR 2235-1.063	State Committee of Psychologists		32 MoReg 151		
20 CSR 2245-1.010	Real Estate Appraisers		32 MoReg 63		
20 CSR 2245-1.020	Real Estate Appraisers		32 MoReg 63R		
20 CSR 2245-2.020	Real Estate Appraisers		32 MoReg 64		
20 CSR 2245-2.040	Real Estate Appraisers		32 MoReg 64R		
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20 CSR 2245-3.005	Real Estate Appraisers		32 MoReg 65		
20 CSR 2245-3.010	Real Estate Appraisers		32 MoReg 69		
20 CSR 2245-3.020	Real Estate Appraisers		32 MoReg 72		
20 CSR 2245-4.040	Real Estate Appraisers		32 MoReg 72		
20 CSR 2245-4.050	Real Estate Appraisers		32 MoReg 72		
20 CSR 2245-4.060	Real Estate Appraisers		32 MoReg 73		
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20 CSR 2245-6.015	Real Estate Appraisers		32 MoReg 77		
20 CSR 2245-6.020	Real Estate Appraisers		32 MoReg 78R		
20 CSR 2245-6.030	Real Estate Appraisers		32 MoReg 78R		
20 CSR 2245-6.040	Real Estate Appraisers		32 MoReg 79		
20 CSR 2245-7.010	Real Estate Appraisers		32 MoReg 81		
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20 CSR 2245-7.050	Real Estate Appraisers		32 MoReg 86R		
20 CSR 2245-7.060	Real Estate Appraisers		32 MoReg 86		
20 CSR 2245-8.010	Real Estate Appraisers		32 MoReg 86		
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20 CSR 2245-8.050	Real Estate Appraisers		32 MoReg 92		
20 CSR 2263-2.032	State Committee for Social Workers		32 MoReg 152		
20 CSR 2263-2.050	State Committee for Social Workers		32 MoReg 154		
20 CSR 2263-2.052	State Committee for Social Workers		32 MoReg 156		
20 CSR 2263-2.060	State Committee for Social Workers		32 MoReg 158		
20 CSR 2263-2.062	State Committee for Social Workers		32 MoReg 160		
20 CSR 2270-1.021	Missouri Veterinary Medical Board		31 MoReg 1877	32 MoReg 493	
20 CSR 2270-4.042	Missouri Veterinary Medical Board		31 MoReg 1881	32 MoReg 493	
MISSOURI CONSOLIDATED HEALTH CARE PLAN					
22 CSR 10-2.010	Health Care Plan	32 MoReg 209	32 MoReg 245		
22 CSR 10-2.060	Health Care Plan	32 MoReg 210	32 MoReg 246		
22 CSR 10-2.067	Health Care Plan	32 MoReg 210	32 MoReg 249		
22 CSR 10-2.090	Health Care Plan	32 MoReg 211R	32 MoReg 252R		

Agency	Publication	Expiration
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Department of Transportation**Missouri Highways and Transportation Commission**

7 CSR 10-25.030	Apportion Registration	This Issue	August 29, 2007
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Department of Natural Resources**Clean Water Commission**

10 CSR 20-4.023	State Forty Percent Construction Grant Program	32 MoReg 395	August 30, 2007
10 CSR 20-4.030	Grants for Sewer Districts and Certain Small Municipal Sewer Systems	32 MoReg 396	August 30, 2007
10 CSR 20-4.061	Storm Water Grant and Loan Program	32 MoReg 396	August 30, 2007
10 CSR 20-7.050	Methodology for Development of Impaired Waters List	31 MoReg 1845	April 23, 2007

Public Drinking Water Program

10 CSR 60-13.010	Grants for Public Water Supply Districts and Small Municipal Water Supply Systems	32 MoReg 398	August 30, 2007
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Department of Public Safety**Missouri Gaming Commission**

11 CSR 45-13.055	Emergency Order Suspending License Privileges—Expedited Hearing	32 MoReg 5	June 7, 2007
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Department of Revenue**Director of Revenue**

12 CSR 10-41.010	Annual Adjusted Rate of Interest	31 MoReg 1935	June 29, 2007
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Highway Reciprocity

12 CSR 20-3.010	Apportion Registration	This Issue	August 29, 2007
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Department of Social Services**Children's Division**

13 CSR 35-100.010	Residential Treatment Agency Tax Credit	31 MoReg 1623	March 29, 2007
13 CSR 35-100.020	Emergency Resource Center Tax Credit	31 MoReg 1628	March 29, 2007

Family Support Division

13 CSR 40-79.010	Domestic Violence Shelter Tax Credit.	31 MoReg 1635	March 29, 2007
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Division of Medical Services

13 CSR 70-10.030	Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/MR Services	32 MoReg 293	August 1, 2007
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Elected Officials**Secretary of State**

15 CSR 30-51.180	Exemptions from Registration for Broker-Dealers, Agents, Investment Advisors, and Investment Advisors Representatives.	32 MoReg 399	Terminated March 5, 2007
15 CSR 30-51.180	Exemptions from Registration for Broker-Dealers, Agents, Investment Advisors, and Investment Advisors Representatives.	32 MoReg 400	August 10, 2007

Department of Insurance, Financial Institutions and Professional Registration**Property and Casualty**

20 CSR 500-5.020	Medical Malpractice Insurance Rate Filings	32 MoReg 401	August 10, 2007
20 CSR 500-5.025	Determination of Inadequate Rates	32 MoReg 403	August 10, 2007
20 CSR 500-5.026	Determination of Excessive Rates	32 MoReg 404	August 10, 2007
20 CSR 500-5.027	Determination of Unfairly Discriminatory Rates	32 MoReg 404	August 10, 2007

Missouri Consolidated Health Care Plan**Health Care Plan**

22 CSR 10-2.010	Definitions	32 MoReg 209	June 29, 2007
22 CSR 10-2.060	PPO and Co-Pay Plan Limitations	32 MoReg 210	June 29, 2007
22 CSR 10-2.067	HMO and POS Limitations	32 MoReg 210	June 29, 2007
22 CSR 10-2.090	Pharmacy Benefit Summary	32 MoReg 211	June 29, 2007

Executive Orders

Executive Orders	Subject Matter	Filed Date	Publication
<u>2007</u>			
07-01	Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies	January 2, 2007	32 MoReg 295
07-02	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	January 13, 2007	32 MoReg 298
07-03	Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities	January 13, 2007	32 MoReg 299
07-04	Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period	January 13, 2007	32 MoReg 301
07-05	Transfers the Breath Alcohol Program from the Missouri Department of Health and Senior Services to the Missouri Department of Transportation	January 30, 2007	32 MoReg 406
07-06	Transfers the function of collecting surplus lines taxes from the Missouri Department of Insurance, Financial Institutions and Professional Registration to the Department of Revenue	January 30, 2007	32 MoReg 408
07-07	Transfers the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations to the Missouri Department of Public Safety	January 30, 2007	32 MoReg 410
07-08	Extends the declaration of emergency contained in Executive Order 07-02 and the terms of Executive Order 07-04 through May 15, 2007, for continuing cleanup efforts from a severe storm that began on January 12	February 6, 2007	This Issue
07-09	Orders the Commissioner of Administration to take certain specific cost saving actions with the OA Vehicle Fleet	February 23, 2007	Next Issue
07-10	Reorganizes the Governor's Advisory Council on Physical Fitness and Health and relocates it to the Department of Health and Senior Services	February 23, 2007	Next Issue
07-11	Designates members of staff with supervisory authority over selected state agencies	February 23, 2007	Next Issue
<u>2006</u>			
06-01	Designates members of staff with supervisory authority over selected state agencies	January 10, 2006	31 MoReg 281
06-02	Extends the deadline for the State Retirement Consolidation Commission to issue its final report and terminate operations to March 1, 2006	January 11, 2006	31 MoReg 283
06-03	Creates and establishes the Missouri Healthcare Information Technology Task Force	January 17, 2006	31 MoReg 371
06-04	Governor Matt Blunt transfers functions, personnel, property, etc. of the Division of Finance, the State Banking Board, the Division of Credit Unions, and the Division of Professional Registration to the Department of Insurance. Renames the Department of Insurance as the Missouri Department of Insurance, Financial Institutions and Professional Registration. Effective August 28, 2006	February 1, 2006	31 MoReg 448
06-05	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Rx Plan Advisory Commission to the Missouri Department of Health and Senior Services. Effective August 28, 2006	February 1, 2006	31 MoReg 451
06-06	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Assistive Technology Advisory Council to the Missouri Department of Elementary and Secondary Education. Rescinds certain provisions of Executive Order 04-08. Effective August 28, 2006	February 1, 2006	31 MoReg 453
06-07	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Life Sciences Research Board to the Missouri Department of Economic Development	February 1, 2006	31 MoReg 455
06-08	Names the state office building, located at 1616 Missouri Boulevard, Jefferson City, Missouri, in honor of George Washington Carver	February 7, 2006	31 MoReg 457
06-09	Directs and orders that the Director of the Department of Public Safety is the Homeland Security Advisor to the Governor, reauthorizes the Homeland Security Advisory Council and assigns them additional duties	February 10, 2006	31 MoReg 460

Executive Orders	Subject Matter	Filed Date	Publication
06-10	Establishes the Government, Faith-based and Community Partnership	March 7, 2006	31 MoReg 577
06-11	Orders and directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property and to employ such equipment as may be necessary in support of civilian authorities	March 13, 2006	31 MoReg 580
06-12	Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated	March 13, 2006	31 MoReg 582
06-13	The Director of the Missouri Department of Natural Resources is vested with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the public health and safety during the period of the emergency and the subsequent recovery period	March 13, 2006	31 MoReg 584
06-14	Declares a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated	April 3, 2006	31 MoReg 643
06-15	Orders and directs the Adjutant General, or his designee, to call and order into active service portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and take such action and employ such equipment as may be necessary in support of civilian authorities, and provide assistance as authorized and directed by the Governor	April 3, 2006	31 MoReg 645
06-16	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	April 3, 2006	31 MoReg 647
06-17	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	April 3, 2006	31 MoReg 649
06-18	Authorizes the investigators from the Division of Fire Safety, the Park Rangers from the Department of Natural Resources, the Conservation Agents from the Department of Conservation, and other POST certified state agency investigators to exercise full state wide police authority as vested in Missouri peace officers pursuant to Chapter 590, RSMo during the period of this state declaration of emergency	April 3, 2006	31 MoReg 651
06-19	Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts	April 3, 2006	31 MoReg 652
06-20	Creates interim requirements for overdimension and overweight permits for commercial motor carriers engaged in storm recovery efforts	April 5, 2006	31 MoReg 765
06-21	Designates members of staff with supervisory authority over selected state agencies	June 2, 2006	31 MoReg 1055
06-22	Healthy Families Trust Fund	June 22, 2006	31 MoReg 1137
06-23	Establishes Interoperable Communication Committee	June 27, 2006	31 MoReg 1139
06-24	Establishes Missouri Abraham Lincoln Bicentennial Commission	July 3, 2006	31 MoReg 1209
06-25	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	July 20, 2006	31 MoReg 1298
06-26	Directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities	July 20, 2006	31 MoReg 1300
06-27	Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts	July 21, 2006	31 MoReg 1302
06-28	Authorizes Transportation Director to issue declaration of regional or local emergency with reference to motor carriers	July 22, 2006	31 MoReg 1304
06-29	Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies	August 11, 2006	31 MoReg 1389
06-30	Extends the declaration of emergency contained in Executive Order 06-25 and the terms of Executive Order 06-27 through September 22, 2006, for the purpose of continuing the cleanup efforts in the east central part of the State of Missouri	August 18, 2006	31 MoReg 1466
06-31	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	September 23, 2006	31 MoReg 1699
06-32	Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts	September 26, 2006	31 MoReg 1701
06-33	Governor Matt Blunt orders all state employees to enable any state owned wireless telecommunications device capable of receiving text messages or emails to receive wireless AMBER alerts	October 4, 2006	31 MoReg 1847
06-34	Governor Matt Blunt amends Executive Order 03-26 relating to the duties of the Information Technology Services Division and the Information Technology Advisory Board	October 11, 2006	31 MoReg 1849
06-35	Governor Matt Blunt creates the Interdepartmental Coordination Council for Job Creation and Economic Growth	October 11, 2006	31 MoReg 1852

**Executive
Orders**

	Subject Matter	Filed Date	Publication
06-36	Governor Matt Blunt creates the Interdepartmental Coordination Council for Laboratory Services and Utilization	October 11, 2006	31 MoReg 1854
06-37	Governor Matt Blunt creates the Interdepartmental Coordination Council for Rural Affairs	October 11, 2006	31 MoReg 1856
06-38	Governor Matt Blunt creates the Interdepartmental Coordination Council for State Employee Career Opportunity	October 11, 2006	31 MoReg 1858
06-39	Governor Matt Blunt creates the Mental Health Transformation Working Group	October 11, 2006	31 MoReg 1860
06-40	Governor Matt Blunt creates the Interdepartmental Coordination Council for State Service Delivery Efficiency	October 11, 2006	31 MoReg 1863
06-41	Governor Matt Blunt creates the Interdepartmental Coordination Council for Water Quality	October 11, 2006	31 MoReg 1865
06-42	Designates members of staff with supervisory authority over selected state departments, divisions, and agencies	October 20, 2006	31 MoReg 1936
06-43	Closes state offices on Friday, November 24, 2006	October 24, 2006	31 MoReg 1938
06-44	Adds elementary and secondary education as another category with full membership representation on the Regional Homeland Security Oversight Committees in order to make certain that schools are included and actively engaged in homeland security planning at the state and local level	October 26, 2006	31 MoReg 1939
06-45	Directs the Department of Social Services to prepare a Medicaid beneficiary employer report to be submitted to the governor on a quarterly basis. Such report shall be known as the Missouri Health Care Responsibility Report	November 27, 2006	32 MoReg 6
06-46	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	December 1, 2006	32 MoReg 127
06-47	Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities	December 1, 2006	32 MoReg 129
06-48	Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period	December 1, 2006	32 MoReg 131
06-49	Directs the Department of Mental Health to implement recommendations from the Mental Health Task Force to protect client safety and improve the delivery of mental health services	December 19, 2006	32 MoReg 212
06-50	Extends the declaration of emergency contained in Executive Order 06-46 and the terms of Executive Order 06-48 through March 1, 2007, for the purpose of continuing the cleanup efforts in the affected Missouri communities	December 28, 2006	32 MoReg 214

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